

LOUIS R. RIGBY
Mayor
BRANDON LUNSFORD
Councilmember At Large A
STEVE GILLETT
Councilmember At Large B
DANNY EARP
Councilmember District 1



CHUCK ENGELKEN
Mayor Pro Tem
Councilmember District 2
BILL BENTLEY
Councilmember District 3
THOMAS GARZA
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held September 28, 2020 , beginning at 6:00 PM in the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas , for the purpose of considering the following agenda items. All agenda items are subject to action.

Social distancing protocols will be in effect in the Council Chambers.

Remote participation is available, also. Attend via a screen using the link <https://us02web.zoom.us/j/81696730910?pwd=WUdFdllJL3ZkelVwanE4WUpWa0dlUT09>. The meeting ID is 816 9673 0910 and the passcode 893842. Join by phone at 877-853-5257 or 888-475-4499.

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Pastor Paul Mc Wherter, Underwood Baptist Church.
PLEDGES – Will be led by Councilperson Steve Gillett.
U.S. Flag
Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a) Proclamation in recognition of Domestic Violence Awareness and Prevention Month. [Mayor Rigby]
4. **CITIZEN COMMENT** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
5. **CONSENT AGENDA** *(Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.)*
 - (a) Approve the minutes of the City Council meeting held on September 14, 2020. [Louis R. Rigby, Mayor]
 - (b) Adopt Ordinance 2020-3799 to reappoint Presiding Judge Denise Mitrano and three Alternate Judges, Dick H. Greg III, Chris Gore, and John C. Cardenas. [Mayor Rigby]
 - (c) Adopt Ordinance 2020-3802 regarding a petition by land owners for disannexation of a 4.8635-acre tract of land and a 3.8135-acre tract of land, both situated in the Enoch Brinson League, Abstract 5, Harris County, Texas. [Corby Alexander, City Manager]
 - (d) Adopt Ordinances 2020-IDA-143 through 2020-IDA-154, authorizing the execution of Industrial District Agreements with companies in the Battleground and Bayport Industrial Districts, for a twelve- (12-) year term beginning January 1, 2020. [Corby Alexander, City Manager]

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- (a) The City Council will hold a public hearing to receive comments regarding their consideration of the proposed City of La Porte budget for the 2020-21 Fiscal Year; followed by discussion and possible action to adopt Ordinance 2020-3800, approving the City's Fiscal Year 2020-21 Proposed Budget. [Michael Dolby, Finance Director]

7. STATUTORY AGENDA

- (a) Presentation, discussion, and possible action to approve the Coronavirus Relief Fund (CRF) funding plan. [Corby Alexander, City Manager]
- (b) Presentation, discussion, and possible action to approve the purchase of 145 new laptop computers to replace desktops to provide better efficiencies for staff. [Grady Parker, IT Manager]
- (c) Presentation, discussion, and possible action to adopt Resolution 2020-23, accepting the 2020 HCAD certified appraisal roll. [Michael Dolby, Finance Director]
- (d) Presentation, discussion, and possible action to adopt Ordinance 2020-3801, setting the City's ad valorem tax rate for the 2020-21 Fiscal Year. [Michael Dolby, Finance Director]
- (e) Presentation, discussion, and possible action on adoption of Ordinance 2020-3084, to adopt the 2018 International Fire Code. [Clif Meekins, Fire Marshal]
- (f) Presentation, discussion, and possible action to approve Ordinance 2020-3803 adopting the 2018 International Code editions for Building, Residential, Mechanical, Energy Conservation, Plumbing, Fuel Gas, and Swimming Pool and Spa Codes and the 2020 National Electrical Code with local amendments, in accordance with recommendation of the Building Code Appeals Board. [Alfonso Acosta, Deputy Building Official]

8. ADMINISTRATIVE REPORTS

- City Council meeting, October 12
- Planning and Zoning Commission meeting, October 15
- Zoning Board of Adjustment meeting, October 22
- City Council meeting, October 26

9. COUNCIL COMMENT *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.*

10. EXECUTIVE SESSION

- (a). The City Council will convene in closed session as authorized by Texas Government Code Sec. 551.071(1)(A) - Pending or Contemplated Litigation, to discuss SV Sons Hwy. 146, LLC vs. City of La Porte. [Clark T. Askins, Assistant City Attorney]

11. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

12. ADJOURN

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the September 28, 2020, City Council agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____

Lee Woodward

Lee Woodward, City Secretary



Proclamation

Office of the Mayor

WHEREAS, one in three women and one in ten men report abuse in their relationships in the form of physical, emotional, sexual, psychological and economic. Domestic violence affects women, children and men of all racial, social, religious, ethnic and economic backgrounds; and

WHEREAS, approximately 3.3 million children witness domestic violence annually, which violence in the home is the strongest indicator that will be transferred to the next generation; and everyone deserves to feel safe in their homes and communities; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own; but we can work together to educate our entire population about what can be done to prevent domestic violence, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

WHEREAS, Domestic Violence Awareness and Prevention Month provides an excellent opportunity for citizens of La Porte and surrounding communities to reduce domestic violence through prevention, education, increased awareness, encouraging every person to speak out when witnessing acts of violence, taking time to talk about creating a healthy, respectful, and safe community, and holding perpetrators who commit acts of violence responsible for their actions.

NOW, THEREFORE, I, Louis R. Rigby, Mayor, do hereby proclaim the month of October 2020, as:

National Domestic Violence Awareness Month

In Witness Whereof: I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 28th day of September, 2020.

City of La Porte

Louis R. Rigby, Mayor

LOUIS RIGBY
Mayor
BRANDON LUNSFORD
Councilperson At Large A
STEVE GILLETT
Councilperson At Large B
DANNY EARP
Councilperson District 1
CHUCK ENGELKEN
Councilperson District 2
Mayor Pro-Tem



BILL BENTLEY
Councilperson District 3
THOMAS GARZA
Councilperson District 4
JAY MARTIN
Councilperson District 5
NANCY OJEDA
Councilperson District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
SEPTEMBER 14, 2020**

The City Council of the City of La Porte met in a regular meeting on Monday, September 14, 2020, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Councilpersons present: Louis Rigby, Danny Earp, Chuck Engelken, Bill Bentley, Thomas Garza (*left before the invocation*), Jay Martin

Councilpersons attending remotely: Brandon Lunsford, Steve Gillett, Nancy Ojeda

Councilpersons absent: None

Council-appointed officers present: Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark Askins, Assistant City Attorney

1. CALL TO ORDER – Mayor Rigby called the meeting to order at 6:00 p.m. Mayor Rigby reminded Councilperson Garza that the Council's adopted Rules of Procedure required Councilpersons to wear a mask during Council meetings. The Mayor reminded Councilperson Garza that he had the opportunity to attend the meeting electronically and could go to his office in City Hall. Councilperson Garza said he was exempted from wearing a face covering for medical reasons and would not be wearing one. The Mayor asked the Sergeant-at-Arms to remove Councilperson Garza. Councilperson Garza moved that the Council contravene the Mayor's direction. The motion did not receive a second and was not considered. Councilperson Garza was escorted from the room.

2. INVOCATION – The invocation was given by Reverend Kevin Gilmore, First Methodist Church, and pledges were led by Councilperson Jay Martin.

3. CITIZEN COMMENT (*Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.*)

Barbara Norwine expressed a concern about Bandido and Nomad motorcycle gang members in the community. Deborah Arrona offered her concern about District 4 residents not having adequate representation due to the Council requirement for face coverings. Mayor Rigby shared with Mrs. Arrona that there were three at-large members of the Council to represent all City districts and also that Councilperson Garza was able to attend meetings remotely and had not chosen to. Without objection, the Council agreed to permit Alton Porter to speak during item 5(c).

4. CONSENT AGENDA (*Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.*)

- a. **Approve the minutes of the City Council meeting held on August 24, 2020. [Louis R. Rigby, Mayor]**
- b. **Adopt Ordinance 2020-3798, changing the number of authorized Patrolmen for the Police Department from sixty (60) to sixty-three (63). [Steve Deardorff, Chief of Police]**
- c. **Accept right-of-way dedication deed to allow for construction of sidewalk on north side of W. Main St., between 7th Street and 8th Street. [Ray Mayo, Public Works Director]**

- d. **Reject all bids received regarding Sealed Bid #20010 for the Five Points Plaza Enhancements Pavilion and Restrooms Project. [Ray Mayo, Public Works Director]**

Mayor Pro Tem Engelken moved to approve the consent agenda with an amendment to rebid item d and bring it back to the Council; the motion was seconded by Councilperson Earp; the motion was adopted, 8-0.

5. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action to adopt Ordinance 2020-3797, amending Ordinance 2020-3787 to update the order of election for the City of La Porte 2020 General Election, in relation to early voting locations, dates, and hours. [Lee Woodward, City Secretary]**

Mayor Pro Tem Engelken moved to adopt Ordinance 2020-3797, amending Ordinance 2020-3787 to update the order of election for the City of La Porte 2020 General Election, in relation to early voting locations, dates, and hours; the motion was seconded by Councilperson Earp; the motion was adopted, 8-0.

- b. **Presentation, discussion, and possible action to approve candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees for a six-year term. [Corby Alexander, City Manager]**

Mayor Pro Tem Engelken moved to approve the staff-recommended candidates for Places 2-4 to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees for a six-year term; the motion was seconded by Councilperson Earp. Mayor Pro Tem Engelken moved to amend his motion to write in Corby Alexander, City Manager of La Porte, Texas, for Place 1; the motion was seconded by Councilperson Earp; the motion was adopted 8-0. The amended main motion was adopted, 8-0.

Place 1 - Corby Alexander, City Manager, City of La Porte
Place 2 - John W. Fullen (Incumbent), Mayor of the City of Henderson
Place 3 - Jeffery Snyder (Incumbent), City Manager for the City of Plainview
Place 4 - Kimberly Meisner, Executive Director for General Operations for Kerrville

- c. **Presentation, discussion, and possible action regarding a petition by land owners for disannexation of a 4.8635-acre tract of land and a 3.8135-acre tract of land, both situated in the Enoch Brinson League, Abstract 5, Harris County, Texas. [Corby Alexander, City Manager]**

Mayor Pro Tem Engelken moved that staff bring back an ordinance approving a petition by land owners for disannexation of a 4.8635-acre tract of land and a 3.8135-acre tract of land, both situated in the Enoch Brinson League, Abstract 5, Harris County, Texas; the motion was seconded by Councilperson Martin; the motion was adopted 7-1, Councilperson Earp voting against.

- d. **Consider and discuss adjustments to the City's Fiscal Year 2020-21 Proposed Budget. [Corby Alexander, City Manager]**

Michael Dolby, Finance Director, reviewed the PowerPoint presentation. Councilperson Martin confirmed the Council would be able to review the expense allocations in Coronavirus Relief. Mr. Alexander committed to providing budgetary impact for a minimum employee \$10/hour rate to the Council by the end of the week.

6. REPORTS

- a. **Receive a report on the Fiscal Affairs Committee meeting. [Mayor Pro Tem Engelken]**

Mayor Pro Tem Engelken said the Fiscal Affairs Committee considered purchasing card expenditures and received the third-quarter investment report.

- b. **Receive a report on the Drainage and Flooding Committee meeting. [Councilperson Martin]**

Councilperson Martin said the Drainage and Flooding Committee heard updates from the City Engineer on current and upcoming projects and would hold the next meeting on October 12.

7. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission meeting, September 17
- Zoning Board of Adjustment meeting, September 24
- La Porte Development Corporation Board meeting, September 28
- City Council meeting, September 28

City Manager Corby Alexander said there were no reports.

8. COUNCIL COMMENTS Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.

Councilpersons thanked Barbara Norwine and Deborah Arrona for their comments and the Mayor for responding, noting the Councilperson who was escorted out had options for participating and was described as 'abandoning' District 4; thanked the City staff and Council for the City's stable financial condition, particularly its ability to be performing as well as it is in the conditions related to COVID; asked the City Manager for a status on completion of the new Spencer sidewalk; reminded all that eight members of the Council approved the update to the Council's Rules of Procedure and the ability of Councilpersons to attend meetings remotely.

9. EXECUTIVE SESSION – The City Council will convene in closed session as authorized by Texas Government Code Sec. 551.071(1)(A) - Pending or Contemplated Litigation, to discuss SV Sons Hwy. 146, LLC vs. City of La Porte. [Clark T. Askins, Assistant City Attorney]

The Council adjourned into executive session at 7:06 p.m.

10. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

The Council reconvened into open session at 7:54 p.m.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 7:54 p.m.

Lee Woodward, City Secretary



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020

Requested By: Mayor Rigby

Department: City Council

☐ Report ☐ Resolution ☒ Ordinance

Exhibits: Ordinance 2020-3799

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☒ No

SUMMARY & RECOMMENDATION

Effective October 1, 2012, La Porte Municipal Court became a municipal court of record with a Presiding Judge and Alternate Judges, serving terms of four years effective October 1, 2016, and expiring on September 30, 2020. The proposed ordinance reappoints Denise C. Mitrano as Presiding Judge and Dick H. Gregg III, Chris Gore, and John C. Cardenas as Alternate Judges for a term beginning October 1, 2020, and expiring on September 30, 2024. Judge Mitrano respectfully recommends re-appointment for herself and the alternate judges.

ACTION REQUIRED BY CITY COUNCIL

Adopt Ordinance 2020-3799 to reappoint the Presiding Judge and three Alternate Judges.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE 2020-3799

AN ORDINANCE APPOINTING A PRESIDING JUDGE AND ALTERNATE JUDGES FOR THE MUNICIPAL COURT OF RECORD IN THE CITY OF LA PORTE, TEXAS, FOR A TERM OF FOUR YEARS, EFFECTIVE OCTOBER 1, 2020, AND EXPIRING SEPTEMBER 30, 2024; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. The City Council of the City of La Porte, Texas, hereby appoints Denise C. Mitrano as the Presiding Judge of the Municipal Court of Record in the City of La Porte, Texas.

Section 2. The City Council of the City of La Porte, Texas, hereby appoints Dick H. Gregg, III as Alternate Judge of the Municipal Court of Record in the City of La Porte, Texas.

Section 3. The City Council of the City of La Porte, Texas, hereby appoints Chris Gore as Alternate Judge of the Municipal Court of Record in the City of La Porte, Texas.

Section 4. The City Council of the City of La Porte, Texas, hereby appoints John C. Cardenas as Alternate Judge of the Municipal Court of Record in the City of La Porte, Texas.

Section 5. Each of the above appointees shall serve for a term of four (4) years, effective October 1, 2020, and expiring on September 30, 2024, and shall receive compensation as may be fixed by City Council.

Section 6. If any section, sentence, phrase, clause or any part of any section, sentence, phrase or clause of this ordinance shall, for any reasons, be held invalid, such invalidity shall not affect the remaining portions of this ordinance, and it is hereby declared to be the intention of this City Council to have passed each section, sentence, phrase or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase or clause, or part thereof, may be declared invalid.

Section 7. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict only.

Section 8. The City Council officially finds, determines, recites, and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 9: This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED this, the _____ day of September, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST

APPROVED AS TO FORM

Lee Woodward, City Secretary

Clark T. Askins, Asst. City Attorney



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020
Requested By: Corby Alexander, City Mgr.
Department: Administration/CMO
☐ Report ☐ Resolution ☒ Ordinance

Exhibits: Letter from Gas Innovations, Ordinance,
2 surveys & Map

Appropriation	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No

SUMMARY & RECOMMENDATION

On June 8, 2020, the La Porte City Council discussed and denied Gas Innovations' petitioned for the City to de-annex a portion of their land within the city limits, which is located northeast of the State Highway 225 and SH 146. At that time the applicant indicated they intend to develop the property at some point in the future, but those plans had not been confirmed. Portions of this property have previously been de-annexed in 1987 and 2005. The applicants were not aware that this was on the June 8th agenda; therefore, there was no representative from Gas Innovations to answer questions from Council. Therefore, Gas Innovations approached staff subsequent to this denial and asked if they could again request the City Council de-annex a portion of their property within the city limits. Representatives from Gas Innovations. Gas Innovation representatives indicated to staff that they'd be attending the September 14th meeting to be available for any questions and provide feedback of any concerns addressed by Council.

The parcels the applicant is looking to de-annex are Harris County Appraisal District #0642220000014 and #0642220000071. As mentioned previously this year, these two properties are valued at \$1,307,426 and \$745,371, respectively. The de-annexation would cost the City \$5,246.95 per year in lost revenue. This is due to the difference in revenue from the property being taxed at the City rate compared to the IDA rate. Additionally, as a part of their 2005 de-annexation, Gas Innovations signed an Industrial District Water Service Agreement.

At the September 14th City Council meeting City Council discussed the request and provided Gas Innovation representative Alton Porter to speak at the meeting concerning the request. Moreover, City Council approved the de-annexation of Gas Innovations. Staff indicated that they'd prepare an Ordinance formalizing this approval

and bring it forward to the September 28th City Council meeting. Therefore, staff recommends City Council approving Ordinance #2020-3802 de-annexing portions of Gas Innovations property that is within the city limits of La Porte.

ACTION REQUIRED BY CITY COUNCIL

Approve or deny Ordinance #2020-3802 for the de-annexation of a tract of land containing 4.8635 acres (211,856 square feet), situated in the Enoch Brinson League, Abstract 5, Harris County, Texas, being a portion of a called 13.967 acre tract of land conveyed unto Crenshaw Real Properties II Ltd. by deed recorded under County Clerk's File No. 20070706637 of the Official Public Records of Harris County, Texas and a tract of land containing 3.811 acres, being the same as a called 3.8135 acre tract as recorded in Harris County Clerk's File No. 20100329409, being located in the Enoch Brinson Survey, Abstract Number 5 Harris County, Texas.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2020-3802

AN ORDINANCE OF THE CITY OF LA PORTE, TEXAS, DISANNEXING APPROXIMATELY 8.67 ACRES OF LAND FROM THE CITY OF LA PORTE, TEXAS; MAKING FINDINGS OF FACT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETING ACT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of La Porte, Texas (the “City”), is a home rule municipality authorized by Texas Local Government Code, Section 43.142 to disannex an area located within the City’s corporate limits, in accordance with rules provided in the City’s Charter; and

WHEREAS, Article I, Section 1.03 of the City’s Charter provides that the City may disannex territory within the City; and

WHEREAS, the owners of certain property located within the City’s corporate limits have petitioned the City Council of the City of La Porte to disannex the real property, which petition (the “Petition”) is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Petitioner acknowledges, and City Council finds, that during the time that the property has been located within the City’s corporate limits the amount of property taxes collected by the City was roughly proportional to the amount of money the City spent for the direct benefit of the area during that period; and, therefore, the City shall not be required to refund any taxes or fees to the Petitioner; and

WHEREAS, the Petitioner acknowledges, and City Council finds, that the Petition does not allege that the City Council failed or refused to provide services or to cause services to be provided within the property with a period required by statute or specified in a service plan prepared for the property; and, therefore, the disannexation does not fall under the purview of Texas Local Government Code Section 43.141; and

WHEREAS, the Petitioner acknowledges, and the City Council finds, that the property to be disannexed does not include a road or highway and as such the width requirements established in Texas Local Government Code Section 43.147 for disannexation of roads or highways do not apply; and

WHEREAS, the City does not object to Petitioner’s request that the Property be disannexed from the corporate territorial limits of the City; and

WHEREAS, the City Council has determined that the disannexation of the property is in the interest of both the City and citizens of the City of La Porte, Texas;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

Section 1. Findings. The recitals and findings set forth above are found to be true and correct and are hereby incorporated into this Ordinance for all purposes as if fully set forth herein.

Section 2. Disannexation. That the property that is the subject of the Petition for disannexation and that is described in Exhibits “B” and “C” attached hereto and incorporated herein for all purposes (the “Property”), is hereby disannexed from the corporate limits of the City of La Porte and discontinued as a part of the City of La Porte so that the same will no longer be a part of the City of La Porte for any purpose whatsoever.

Section 3. Relinquishment of Rights. The City of La Porte hereby relinquishes any and all right, jurisdiction or control over the Property.

Section 4. Service Plan. That the Service Plan previously adopted for the Property is no longer in effect as to the subject property only.

Section 6. Official Map and Boundaries. That the official map and boundaries of the City, heretofore adopted and amended, be and hereby are amended so as to remove the Property from the territorial limits of La Porte, Texas.

Section 7. Intent. It is not the intent of the City Council, by the approval and adoption of this Ordinance, that the City disannex any other property other than the Property as described in Exhibit “B” and “C”.

Section 8. Severability. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. Repeal. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent with or in conflict with the terms and provisions contained herein are hereby repealed only to the extent of such conflict.

Section 10. Open Meetings. It is officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purposed of said meeting was open to the public as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Section 11. Delivery to County Clerk. The City Secretary is authorized and directed to forthwith cause a certified copy of this Ordinance to be delivered to the County Clerk of Harris County, Texas, as required by Sec. 41.0015 of the Texas Local Government Code.

Section 12. Effective Date. This ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED on this 28th day of SEPTEMBER, 2020.

CITY OF LA PORTE, TEXAS

Louis Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark Askins, Assistant City Attorney

GAS INNOVATIONS

18005 E. Highway 225 La Porte, TX 77571

Mr. Corby Alexander
City of La Porte
604 W. Fairmont Pkwy
La Porte, TX 77571

May 12, 2020

Dear Mr. Alexander,

The following is to request the de-annexing of certain properties currently annexed to the City of La Porte.

Jason Willingham and Ashley T. Madray purchased the properties as individuals in the partnership, A & J Leasing, LLP. Federal Tax ID No., 20-0836465 The properties are identified as:

1. Tract of land containing 4.8635 acres (211,856 square feet), situated in the Enoch Brinson League, Abstract 5, Harris County, Texas, being a portion of a called 13.967 acre tract of land conveyed unto Crenshaw Real Properties II Ltd. by deed recorded under County Clerk's File No. 20070706637 of the Official Public Records of Harris County, Texas.
2. Tract of land containing 3.811 acres, being the same as a called 3.8135 acre tract as recorded in Harris County Clerk's File No. 20100329409, being located in the Enoch Brinson Survey, Abstract Number 5 Harris County, Texas.

Gas Innovations/WWS currently operates a business on the said properties (Federal Tax No. 01-743118).

Please share this letter with other City of La Porte personnel as needed, and please direct them to me for any additional information that may be required.

Thank you for your assistance

Respectfully,

Chris Brandt

Chris Brandt
VP Operations
Gas Innovations



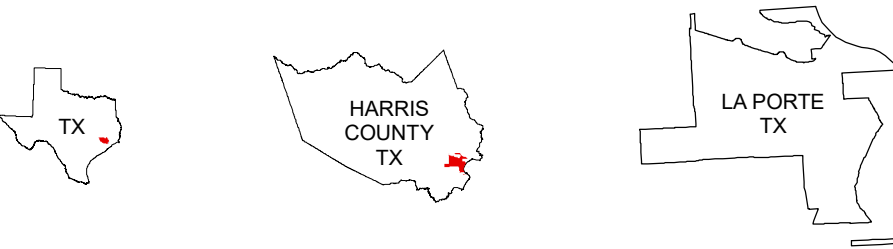
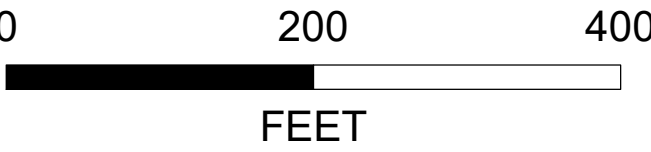
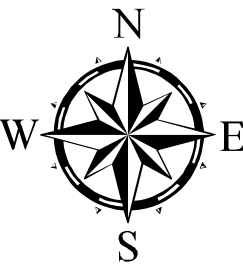
GAS INNOVATIONS DE-ANNEXATION PROPOSAL

*The City of La Porte embraces its heritage,
community values, and opportunities, while
improving the quality of life for our residents.*

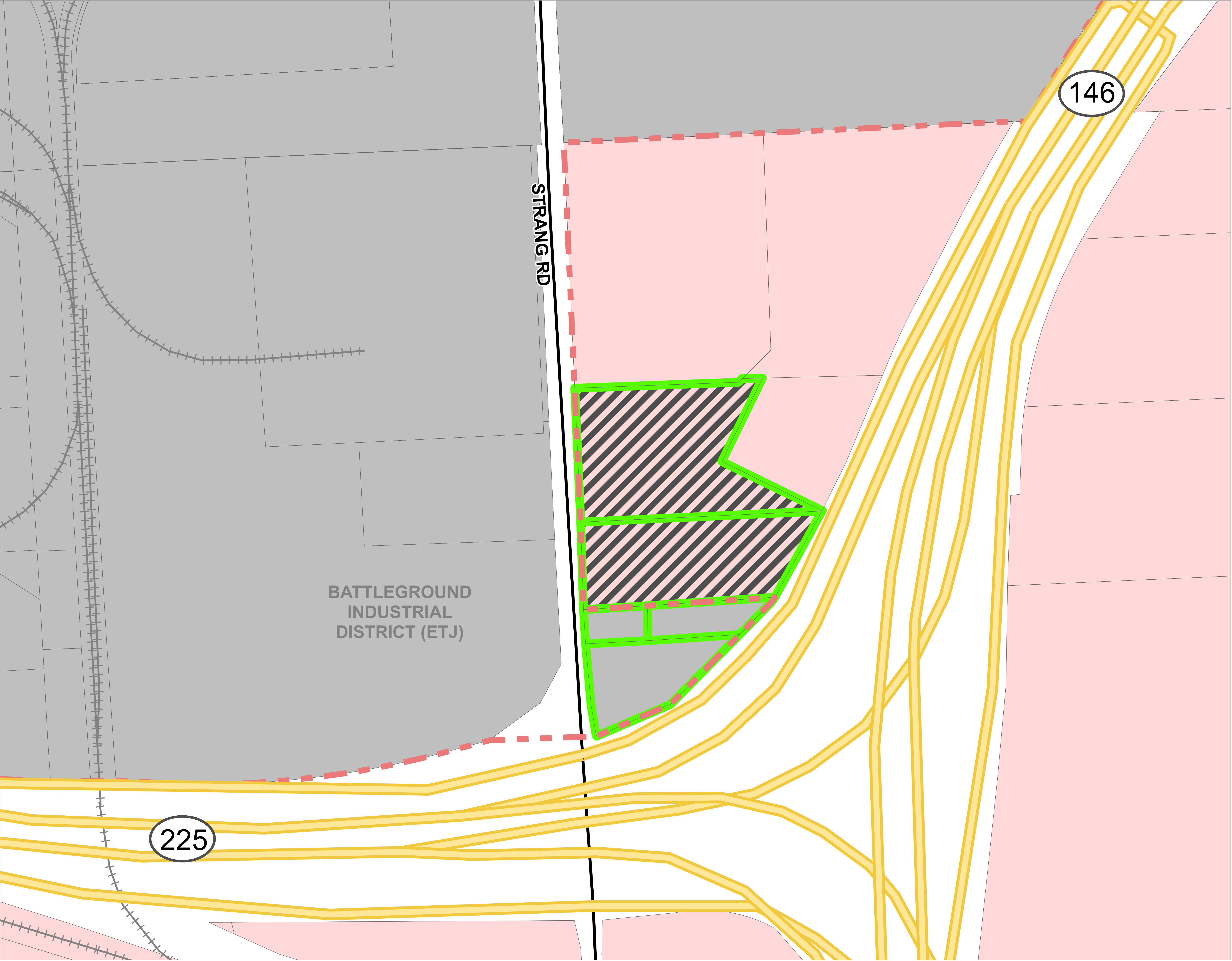
DRAFT

**NOT TO BE USED AS A
LEGAL BOUNDARY MAP**

- PROPOSED PARCELS TO DE-ANNEX
- GAS INNOVATIONS PROPERTY
- ROAD
- RAILROAD
- LA PORTE CITY LIMIT
- BATTLEGROUND INDUSTRIAL DISTRICT (ETJ)



MAP PREPARED SEPTEMBER 2020
CITY OF LA PORTE PLANNING AND DEVELOPMENT
GIS DIVISION
NAD 1983 STATE PLANE TEXAS SOUTH CENTRAL



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of La Porte makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of La Porte from any damage, loss, or liability arising from such use.

DESCRIPTION OF A TRACT OF LAND CONTAINING
A 60X60 ACRES (271,896 SQUARE FEET) SITUATED
IN HARRIS COUNTY, TEXAS

BEING A TRACT OF LAND CONTAINING 4,832.5 ACRES (211,896 SQUARE FEET), SITUATED IN THE EIGHTH BUREAU LEASE, ABSTRACT 5, HARRIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 13.657 ACRE TRACT OF LAND COMBINED UNDER CERTAIN PUBLIC UTILITIES ACTS AND BEING A PORTION OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS.

A 3-FOOT WIDE RIGHT-OF-WAY LINE INDICATED BY METERS AND SURVEY DATA TAKEN AT THE TIME OF THE SURVEY OF THIS TRACT IS LOCATED AS FOLLOWS:

BEING PART OF A FOUND 5/8-INCH IRON ROD IN THE NORTHERLY RIGHT-OF-WAY LINE OF STARVING ROAD (I.A.P.A. TOWN STREET) 70 FEET WEST FOR THE NORTHWESTLY CORNER OF SAID PLOT HEREIN DESCRIBED;

AND BEING PART OF A FOUND 5/8-INCH IRON ROD IN THE SOUTHWESTLY CORNER OF SAID PLOT HEREIN DESCRIBED;

AND BEING PART OF A FOUND 5/8-INCH IRON ROD IN THE SOUTHWESTLY CORNER OF SAID PLOT HEREIN DESCRIBED;

AND BEING PART OF A FOUND 5/8-INCH IRON ROD IN THE SOUTHWESTLY CORNER OF SAID PLOT HEREIN DESCRIBED;

THICK NORTH 02°37'1" EAST, ALONG SAID RIGHT-OF-WAY LINE OF STARVING ROAD, A DISTANCE OF 404.6 FEET TO THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED (FROM WHICH A 3-INCH METAL POST BEARS NORTH 70°22' WEST, A DISTANCE OF 0.8 FEET).

THENCE NORTH 67°38'1" EAST, A DISTANCE OF 491.49 FEET TO AN ANGLE POINT IN THE NORTH LINE OF SAID TRACT (FROM WHICH A 3-INCH METAL POST BEARS NORTH 70°22' WEST, A DISTANCE OF 0.8 FEET).

THACK NORTH 44°32'1" EAST, A DISTANCE OF 15.88 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR AN ANGLE POINT.

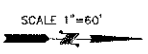
THENCE NORTH 84°00'1" EAST, A DISTANCE OF 60.26 FEET TO A FOUND 5/8-INCH IRON ROD FOR THE MOST NONVOLATILY CORNER OF SAID TRACT HEREIN DESCRIBED.

THENCE SOUTH 87°12'1" WEST, A DISTANCE OF 229.16 FEET TO AN INTERIOR CORNER OF SAID TRACT HEREIN DESCRIBED (FROM WHICH A FOUND 5/8-INCH IRON ROD BEARS NORTH 50°07' WEST, A DISTANCE OF 0.7 FEET).

THENCE SOUTH 42°17'1" EAST, A DISTANCE OF 134.67 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "SURVEY 2" IN THE NORTHWESTLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 146 (WHICH VARIES) FOR THE EASTWARD WORKMAN'S CORNER OF SAID TRACT HEREIN DESCRIBED.

THENCE SOUTH 87°12'1" WEST, ALONG SAID RIGHT-OF-WAY LINE OF STATE HIGHWAY 146, A DISTANCE OF 1.85 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED.

THENCE SOUTH 87°12'1" WEST, ALONG THE NORTHERLY LINE OF SAID SAID ACRE TRACT, A DISTANCE OF 754.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,832.5 ACRES (211,896 SQUARE FEET), MORE OR LESS.



☐ CARVEL ☐ ASPHALT ☐ WOOD DECK ☐ STEPS
 OVERHEAD, POWERLINES

LINE	BEARING	DISTANCE
1	N 44° 29' 21" E	15.89'
2	N 84° 18' 05" E	60.35'
3	S 25° 34' 32" W	1.55'

[illegible]

Scout

• THE GUARANTY COMPANY

KELLIE WALKER-CHOATES	2B1-4GE-0863
CE, #	ISSUE DATE:

LEGAL DESCRIPTION: A TRACT OF LAND CONTAINING 4,862.5 ACRES (21,856 SQUARE FEET), SITUATED IN THE ENCHILS BRINSON LEAGUE, ASTRACI 5, HARRIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS.

[illegible]

QUEST:
A & J LEASING, LLP

ADDRESS:
201 SPRING ROAD
www.aandjleasing.com
aandj@aandjleasing.com

DATE: 5-26-2017

FIELD	ORIGIN	TECH
IN	FF	
REACTIVE	HYBRID	CP
NO	LP	

YOU AND SANCY COMPANY
P.O. Box 948, Raleigh, NC 27602-0948
Firm Registration No.: 0073756-2
Fax #: 919-772-1712 | (919) 772-1992

J-62350-17

**DESCRIPTION OF A TRACT OF LAND CONTAINING
4.8635 ACRES (211,856 SQUARE FEET) SITUATED
IN THE ENOCH BRINSON LEAGUE, ABSTRACT 5
HARRIS COUNTY, TEXAS**

Being a tract of land containing 4.8635 acres (211,856 square feet), situated in the Enoch Brinson League, Abstract 5, Harris County, Texas, being a portion of a called 13.967 acre tract of land conveyed unto Crenshaw Real Properties II Ltd. by deed recorded under County Clerk's File No. 20070706637 of the Official Public Records of Harris County, Texas. Said 4.8635-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod in the easterly right-of-way line of Strang Road (A.K.A. 13th Street) (70 feet wide) for the northwesterly corner of a called 3.81 acre tract of land conveyed unto A & J Leasing LLP by deed recorded under 20100329409 of the Official Public Records of Harris County, Texas, the southwesterly corner of said 13.967 tract and the southwest corner of said tract herein described;

THENCE North 02°57'10" West, along said right-of-way line of Strang Road, a distance of 401.64 feet to the northwest corner of said tract herein described (from which a 2-inch metal post bears South 76°40' East, a distance of 0.8 feet);

THENCE North 87°29'55" East, a distance of 491.49 feet to an angle point in the north line of said tract (from which a 3-inch metal post bears North 70°20' West, a distance of 0.6 feet);

THENCE North 44°39'21" East, a distance of 15.89 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point;

THENCE North 88°18'05" East, a distance of 60.35 feet to a found 5/8-inch iron rod for the most northeasterly corner of said tract herein described;

THENCE South 25°31'29" West, a distance of 278.08 feet to an interior corner of said tract herein described (from which a found 5/8-inch iron rod bears North 50°57' West, a distance of 0.7 feet);

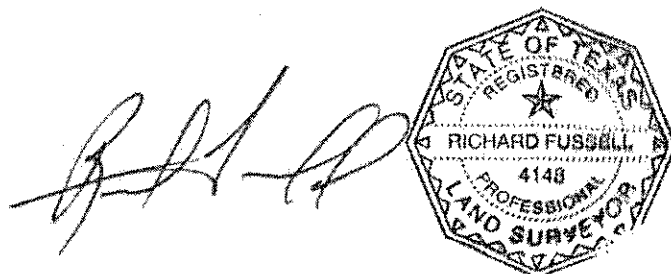
THENCE South 64°21'17" East, a distance of 334.67 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwesterly right-of-way line of State Highway 146 (width varies) for the easterly northeast corner of said tract herein described;

THENCE South 25°34'32" West, along said right-of-way line of State Highway 146, a distance of 1.55 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of said tract herein described;

THENCE South 86°57'16" West, along the northerly line of said 3.81 acre tract, a distance of 724.06 feet to the POINT OF BEGINNING and containing 4.8635 acres (211,856 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated March 20, 2017, job number 3-52351-17.

Survey 1, Inc.
P.O. Box 2543
Alvin, TX 77512
281-393-1382



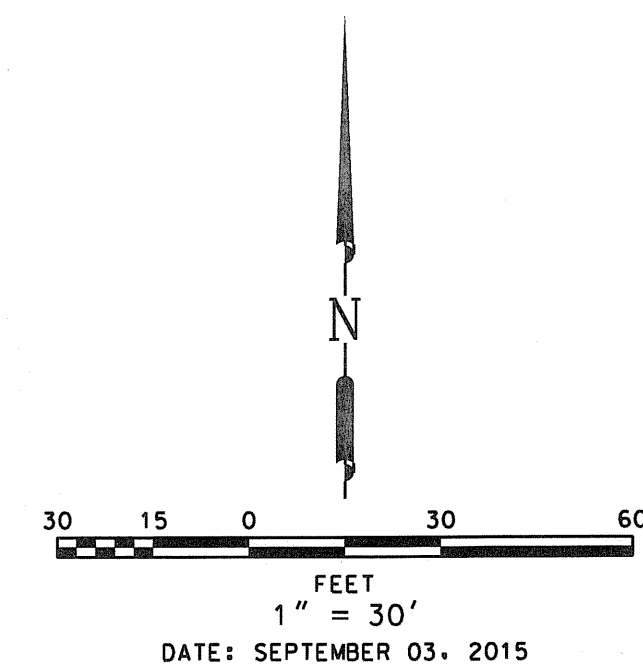
March 20, 2017

CALLED 26.721 ACRES
CONVEYED TO
CRENSHAW REAL PROPERTY II, LTD.
H.C.C.F. NO. 20070706637
11-30-2007

SUBJECT TRACT
3.811 ACRES

CALLED 3.8135 ACRES
CONVEYED TO
A & J LEASING, L.L.P.
H.C.C.F. NO. 20100329409
08-03-2010

CALLED 2.5013 ACRES
CONVEYED TO
A & J LEASING, LLP
H.C.C.F. NO. Z111540
02-23-2006



PARCEL DESCRIPTION

A tract of land containing 3.811 acres, being the same as a called 3.8135 acre tract as recorded in Harris County Clerk's File No. 20100329409, being located in the Enoch Brinson Survey, Abstract Number 5, Harris County, Texas and being more particularly described by metes and bounds as follows;

BEGINNING, at a found five eighths inch iron rod, marking the southwest corner of said called 3.8135 acre tract, the northwest corner of a called 2.5013 acre tract as recorded in Harris County Clerk's File No. Z111540 and being in the east line of Strang Road (width varies);

- THENCE**, North 04 degrees 49 minutes 30 seconds West, along the west line of said called 3.8135 acre tract and the east line of said Strang Road, for a distance of 264.21 feet to a found one half inch iron rod, marking the northwest corner of said called 3.8135 acre tract and the southwest corner of a called 26.721 acre tract as recorded in Harris County Clerk's File No. 20070706637;
- THENCE**, North 86 degrees 54 minutes 58 seconds East, along the north line of said called 3.8135 acre tract and the south line of said called 26.721 acre tract, for a distance of 724.06 feet to a point in the westerly line of State Highway 146 (width varies) from which a found TxDOT monument bears South 42 degrees West, 0.5 feet;
- THENCE**, South 31 degrees 46 minutes 25 seconds West, along the westerly line of State Highway 146, for a distance of 322.39 feet to a found five eighths inch iron rod marking the southeast corner of said called 3.8135 acre tract and the northeast corner of said called 2.5013 acre tract;
- THENCE**, South 86 degrees 57 minutes 56 seconds West, along the south line of said called 3.8135 acre tract and the north line of said called 2.5013 acre tract, for a distance of 531.78 feet to the **POINT OF BEGINNING**.

I, **DAVID C. NEWELL**, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.



DAVID C. NEWELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4085

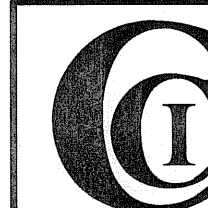
SURVEY

OF

3.811 ACRE TRACT

LOCATED IN THE
ENOCH BRINSON SURVEY
ABSTRACT NUMBER 5
HARRIS COUNTY, TEXAS

PROJECT 45-04-2015



Civil Concepts, Inc.

SURVEY & MAPPING
CIVIL ENGINEERING
3425 FEDERAL STREET, PASADENA, TEXAS 77504
OFFICE: 713.947.6606 FAX: 713.947.6609
T.B.P.L.S. FIRM REG. NO. 10039400

LEGEND	
R.O.W.	RIGHT-OF-WAY
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
A.E.	AERIAL EASEMENT
D.E.	DRAINAGE EASEMENT
P.A.E.	PRIVATE ACCESS EASEMENT
P.U.E.	PRIVATE UTILITY EASEMENT
FND.	FOUND
I.R.	IRON ROD
FNC.	FENCE
WD.	WOOD
C.L.F.	CHAIN LINK FENCE
CONC.	CONCRETE
S/W	SIDEWALK
GRATE INLET	GRATE INLET
CLEAN OUT	CLEAN OUT
PROPERTY CORNER	PROPERTY CORNER
FIRE HYDRANT	FIRE HYDRANT
GUARD POST	GUARD POST
GUY ANCHOR	GUY ANCHOR
AREA LIGHT	AREA LIGHT
LIGHT POLE	LIGHT POLE
SERVICE POLE	SERVICE POLE
POWER POLE	POWER POLE
ELECTRIC METER	ELECTRIC METER
GAS METER	GAS METER
WATER METER	WATER METER
MANHOLE	MANHOLE
SEPTIC TANK	SEPTIC TANK
SAMPLE WELL	SAMPLE WELL
CABLE PEDESTAL	CABLE PEDESTAL
TELEPHONE PEDESTAL	TELEPHONE PEDESTAL
PIPELINE MARKER	PIPELINE MARKER
PIPELINE VENT	PIPELINE VENT
SIGN	SIGN
TRAFFIC CONTROL BOX	TRAFFIC CONTROL BOX
WATER VALVE	WATER VALVE
SPRINKLER HEAD	SPRINKLER HEAD
ELECTRIC CONDUIT	ELECTRIC CONDUIT
0.5' ±	OFF PROPERTY
0.5' ±	ON PROPERTY

NOTES:

- The location of the subject tract on the Fema Flood Insurance Rate Map, Community Panel No. 485487-0935-L, dated June 18, 2007, lies within (unshaded) zone "X", an area outside the 500-year flood plain. This statement is based on scaling the location of said survey on the above reference map. This information is to determine flood insurance rates only and is not intended to identify specific flooding conditions.
- Bearings shown hereon are based on the Texas state plane coordinate system, south central zone 4204, NAD 83. All coordinates hereon were calculated using horizontal surface distances.
- This survey was performed without the benefit of a title report and therefore easements and other instruments may exist that are not shown hereon. No further research of the Harris County Deed Records was performed by Civil Concepts, Inc. regarding these easements.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020

Requested By: Corby Alexander, City Manager

Department: CMO/Administration

☐ Report ☐ Resolution ☒ Ordinance

Exhibits: Ordinance and 2019 Industrial District Agreement

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☒ No

SUMMARY & RECOMMENDATION

The City of La Porte and Industry have agreed to renew the provisions of the Industrial District Agreement for a twelve (12) year period. The current agreements expired on December 31, 2019, the common date for the Battleground and Bayport Industrial Districts.

City Council has approved a total of 142 agreements. Staff has successfully contacted companies with outstanding agreements and has reduced the number of unexecuted agreements to 11.

Staff recommends City Council authorize the execution of Industrial District Agreements with the following industries:

Ordinance Number

2020-IDA-143
2020-IDA-144
2020-IDA-145
2020-IDA-146
2020-IDA-147
2020-IDA-148
2020-IDA-149
2020-IDA-150
2020-IDA-151
2020-IDA-152
2020-IDA-153
2020-IDA-154

Industrial Company

Matheson Tri-Gas, Inc.
Matheson Tri-Gas, Inc.
Texas Electric Equipment Co.
Liberty Property LP
Foremark Performance Chemicals, Inc.
Solvay Chemicals, Inc.
CRP TREP Fairmont Owner, LP
CRP TREP New Decade Owner, LP
United Rentals
Notsuoh Development Corporation
Airgas USA, LLC
A&J Leasing

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve or deny Ordinances 2020-IDA-143 through 2020-IDA-153 authorizing the execution by the City of La Porte of Industrial District Agreements listed above.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2020-IDA-01

AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE, TEXAS OF AN INDUSTRIAL DISTRICT AGREEMENT WITH _____, INC, A _____ CORPORATION, FOR THE TERM COMMENCING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2031; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. _____, Inc, a _____ Corporation has executed an industrial district agreement with the City of La Porte, Texas, for the term commencing January 1, 2020, and ending December 31, 2031, a copy of which is attached hereto, incorporated by reference herein, and made a part hereof for all purposes.

Section 2. The Mayor, the City Manager, the City Secretary, and the City Attorney of the City of La Porte, Texas, be and they are hereby, authorized and empowered to execute and deliver on behalf of the City of La Porte, Texas, the industrial district agreement with the corporation named in Section 1 hereof.

Section 3. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED and **APPROVED**, this _____ day of _____, 2019.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

NO. 2020 IDA-___',
STATE OF TEXAS '
COUNTY OF HARRIS '

INDUSTRIAL DISTRICT AGREEMENT

This AGREEMENT made and entered into by and between the CITY OF LA PORTE, TEXAS, a municipal corporation of Harris County, Texas, hereinafter called "CITY", and _____, a _____ corporation, hereinafter called "COMPANY",

W I T N E S S E T H:

WHEREAS, it is the established policy of the City Council of the City of La Porte, Texas, to adopt such reasonable measures from time to time as are permitted by law and which will tend to enhance the economic stability and growth of the City and its environs by attracting the location of new and the expansion of existing industries therein, and such policy is hereby reaffirmed and adopted by this City Council as being in the best interest of the City and its citizens; and

WHEREAS, pursuant to its policy, City has enacted Ordinance No. 729, designating portions of the area located in its extraterritorial jurisdiction as the "Battleground Industrial District of La Porte, Texas", and Ordinance No. 842A, designating portions of the area located in its extraterritorial jurisdiction as the "Bayport Industrial District of La Porte, Texas", hereinafter collectively called "District", such Ordinances being in compliance with the Municipal Annexation Act of Texas, codified as Section 42.044, Texas Local Government Code; and

WHEREAS, Company is the owner of land within a designated Industrial District of the City of La Porte, said land being legally described on the attached Exhibit "A" (hereinafter "Land"); and said Land being more particularly shown on a plat attached as Exhibit "B", which plat describes the ownership boundary lines; a site layout, showing all improvements, including pipelines and railroads, and also showing areas of the Land previously annexed by the City of La Porte; and

WHEREAS, City desires to encourage the expansion and growth of industrial plants within said Districts and for such purpose desires to enter into this Agreement with Company pursuant to Ordinance adopted by the City Council of said City and recorded in the official minutes of said City:

NOW, THEREFORE, in consideration of the premises and the mutual agreements of the parties contained herein and pursuant to the authority granted under the Municipal Annexation Act and the Ordinances of City referred to above, City and Company hereby agree with each other as follows:

I.

City covenants, agrees and guarantees that during the term of this Agreement, provided below, and subject to the terms and provisions of this Agreement, said District shall continue to retain its extraterritorial status as an industrial district, at least to the extent that the same covers the Land belonging to Company and its assigns, unless and until the status of said Land, or a portion or portions thereof, as an industrial district may be changed pursuant to the terms of this Agreement. Subject to the foregoing and to the later provisions of this Agreement, City does further covenant, agree and guarantee that such industrial district, to the extent that it covers said Land lying within said District and not now within the corporate limits of City, shall be immune from annexation by City during the term hereof (except as hereinafter provided) and shall have no right to have extended to it any services by City, and that all Land, including that which has been heretofore annexed, shall not have extended to it by ordinance any rules and regulations (a) governing plats and subdivisions of land, (b) prescribing any building, electrical, plumbing or inspection code or codes, or (c) attempting to exercise in any manner whatever control over the conduct of business thereon; provided, however, 1) any portion of Land constituting a strip of land 100' wide and contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146, shall be subject to the rules and regulations attached hereto as Exhibit "C" and made a part hereof, 2) intermodal shipping containers (including but not limited to freight and tank containers) placed on Land belonging to Company shall be permitted to be stacked only two containers in height within the 100' wide portion of Company's Land contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146; beyond said 100' wide strip, intermodal shipping containers shall be eligible to be stacked one additional container in height within and for each successive 100' wide portion of Company's Land behind and following the preceding 100' wide strip, up to a maximum of six containers in height, regardless of distance from Fairmont Parkway, State Highway 225, or State Highway 146; and 3) it is agreed that City shall have the right to institute or intervene in any administrative and/or judicial proceeding authorized by the Texas Water Code, the Texas Clean Air Act, the Texas Health & Safety Code, or other federal or state environmental laws, rules or regulations, to the same extent and to the same intent and effect as if all Land covered by this Agreement were not subject to the Agreement.

II.

In the event that any portion of the Land has heretofore been annexed by City, Company agrees to render and pay full City ad valorem taxes on such annexed Land and improvements, and tangible personal property.

Under the terms of the Texas Property Tax Code (S.B. 621, Acts of the 65th Texas Legislature, Regular Session, 1979, as amended), the appraised value for tax purposes of the annexed portion of Land, improvements, and tangible personal property shall be determined by the Harris County Appraisal District. The parties hereto recognize

that said Appraisal District has no authority to appraise the Land, improvements, and tangible personal property in the unannexed area for the purpose of computing the "in lieu" payments hereunder. Therefore, the parties agree that the appraisal of the Land, improvements, and tangible personal property in the unannexed area shall be conducted by City, at City's expense, by an independent appraiser of City's selection. The parties recognize that in making such appraisal for "in lieu" payment purposes, such appraiser must of necessity appraise the entire (annexed and unannexed) Land, improvements, and tangible personal property.

Nothing herein contained shall ever be interpreted as lessening the authority of the Harris County Appraisal District to establish the appraised value of Land, improvements, and tangible personal property in the annexed portion, for ad valorem tax purposes.

III.

A. The properties upon which the "in lieu of" taxes are assessed are more fully described in subsections 1, 2, and 3 of subsection C, of this Paragraph III (sometimes collectively called the "Property"); provided, however, pollution control equipment installed on the Land which is exempt from ad valorem taxation pursuant to the provisions of Sec. 11.31 of the Texas Property Tax Code is exempt from ad valorem taxation and "in lieu of taxes" hereunder. Property included in this Agreement shall not be entitled to an agricultural use exemption for purposes of computing "in lieu of taxes" hereunder.

B. On or before the later of December 31, 2020, or 30 days from mailing of tax bill and in like manner on or before each December 31st thereafter, through and including December 31, 2031, Company shall pay to City an amount of "in lieu of taxes" on Company's Property as of January 1st of the current calendar year ("Value Year").

C. Company and City agree that the following percentages ("Percentage Amount") shall apply during each of the Value Years:

Value Year 2020:	64%
Value Year 2021:	64%
Value Year 2022:	64%
Value Year 2023:	64%
Value Year 2024:	64%
Value Year 2025:	64%
Value Year 2026:	64%
Value Year 2027:	64%
Value Year 2028:	64%
Value Year 2029:	64%
Value Year 2030:	64%
Value Year 2031:	64%

Company agrees to pay to City an amount of "in lieu of taxes" on Company's land, improvements and tangible personal property in the unannexed area equal to the sum of:

1. Percentage Amount of the amount of ad valorem taxes which would be payable to City if all of the Company's Land and improvements which existed on January 1, 2020, and each January 1 thereafter of the applicable Value Year during the term of this Agreement, (excluding amounts which would be so payable with respect to any Substantial Increase in value of such Land and improvements to which subparagraph 2, below applies), had been within the corporate limits of City and appraised each year by City's independent appraiser, in accordance with the applicable provisions of the Texas Property Tax Code; and
2. (a) On any Substantial Increase in value of the Land, improvements, and tangible personal property (excluding inventory) dedicated to new construction, in excess of the appraised value of same on January 1, 2019, resulting from new construction (exclusive of construction in progress, which shall be exempt from taxation), for each Value Year following completion of construction in progress, an amount equal to Thirty percent (30%), where construction is completed in Value Years 2020 through 2031, of the amount of ad valorem taxes which would be payable to City if all of said new construction had been within the corporate limits of City and appraised by City's independent appraiser, in accordance with the applicable provisions of the Texas Property Tax Code. The eligible period for application of said thirty percent (30%) "in lieu" rate shall be for a total of six (6) Value Years.

In the case of new construction which is completed in Value Year 2028 or later, and provided, further, that City and Company enter into an Industrial District Agreement after the expiration of this Industrial District Agreement, then, and in such events, such new construction shall be entitled to additional Value Years under the new Agreement at a Thirty percent (30%) valuation under this subparagraph (a), for a total of six (6) Value Years, but not extending beyond Value Year 2034.

In the case of new construction which was completed in Value Years 2016 through 2019 in accordance with the previous Industrial District Agreement between City and Company, such new construction shall be subject to a Twenty percent (20%) valuation through Value Year 2022, and a Thirty (30%) valuation for any additional Value Years beyond Value Year 2022, for a total of six (6) Value Years.

-
- (b) Application of the thirty percent (30%) "in lieu" rate for Substantial Increase in value of the Land,

improvements, and tangible personal property dedicated to new construction is limited to new construction purposed for or related to manufacturing and processing uses. In no case shall Company be entitled to application of the thirty percent (30%) "in lieu" rate for Substantial Increase in value of the Land, improvements, and tangible personal property dedicated to new construction where the new construction is purposed for or related to uses for warehousing, storage, distribution, and/or general freight trucking and transportation, as well as general commercial uses, such as truck stops, rental facilities, or repair shops.

(c) A Substantial Increase in value of the Land, improvements, and tangible personal property (excluding inventory) as used in subparagraph 2(a) above, is defined as an increase in value that is the lesser of either:

- i. at least Five percent (5%) of the total appraised value of Land and improvements, on January 1, 2019; or
- ii. a cumulative value of at least \$3,500,000.00.

For the purposes of this Agreement, multiple projects that are completed in a Value Year can be cumulated to arrive at the amount for the increase in value.

(d) If existing Property values have depreciated below the Property value established on January 1, 2019, an amount equal to the amount of the depreciation will be removed from the calculation under this subparagraph 2 to restore the value to the January 1, 2019, value; and

3. Percentage Amount of the amount of ad valorem taxes which would be payable to City on all of the Company's tangible personal property of every description, located in an industrial district of City, including, without limitation, inventory, (including inventory in a federal Foreign Trade Zone and including Freeport exempted inventory), oil, gas, and mineral interests, items of leased equipment, railroads, pipelines, and products in storage located on the Land, if all of said tangible personal property which existed on January 1, 2020, and each January 1 thereafter of the applicable Value Year during the term of this Agreement, (excluding amounts which would be so payable with respect to any Substantial Increase in value of such tangible personal property to which subparagraph 2, above applies), had been within the corporate limits of City and appraised each year by the City's independent appraiser, in accordance with the applicable provisions of the Texas

Property Tax Code.

with the sum of 1, 2 and 3 reduced by the amount of City's ad valorem taxes on the annexed portion thereof as determined by appraisal by the Harris County Appraisal District.

4. Notwithstanding the above, should City elect to grant the freeport inventory exemption authorized by Article VIII, Section 1-j of the Texas Constitution and Section 11.251 of the Texas Property Tax Code to taxpayers within the City limits, then the freeport inventory exemption shall apply to parties to this Agreement. Further, should inventory or any other class or type of property become exempt from taxation by constitutional amendment or act of the Texas Legislature (including, but not limited to, Article VIII, Section 1-n, of the Texas Constitution and Section 11.253 of the Texas Property Tax Code), such class or type of property shall be exempt for purposes of this Agreement, unless the City Council of the City of La Porte shall by Ordinance provide for the continued taxation of such property under the authority of any applicable provisions of the Texas Constitution and Texas Statutes.
5. City and Company acknowledge circumstances might require the City to provide emergency services to Company's Property described on Exhibit "A" attached hereto. Emergency services are limited to fire, police, and public works emergency services. If Company is not a member of Channel Industries Mutual Aid Association (CIMA), Company agrees to reimburse City for its costs arising out of any emergency response requested by Company to Company's property, and to which City agrees to respond. If Company is a member of CIMA, the obligations of Company and City shall be governed by the CIMA agreement, to which agreement City is a party.

IV.

This Agreement shall extend for a period beginning on the 1st day of January, 2020, and continuing thereafter until December 31, 2031, unless extended for an additional period or periods of time upon mutual consent of Company and City, as provided by the Municipal Annexation Act; provided, however, that in the event this Agreement is not so extended for an additional period or periods of time on or before August 31, 2031, the agreement of City not to annex property of Company within the District shall terminate. In that event, City shall have the right to commence immediate annexation proceedings as to all of Company's property covered by this Agreement, notwithstanding any of the terms and provisions of this Agreement.

Company agrees that if the Texas Local Government Code Section Chapter 42.044 "Creation of Industrial District in Extraterritorial Jurisdiction", or Texas Local Government Code Chapter 43 "Municipal Annexation", is amended, or any new legislation is thereafter

enacted by the Legislature of the State of Texas which imposes greater restrictions on the right of City to annex land belonging to Company or imposes further obligations on City in connection therewith after the annexation of such land, Company will waive the right to require City to comply with any such additional restrictions or obligations and the rights of the parties shall be then determined in accordance with the provisions of said laws as the same existed on January 1, 2019.

V.

This Agreement may be extended for an additional period or periods by agreement between City and Company and/or its assigns even though it is not extended by agreement between City and all of the owners of all land within the District of which it is a part.

VI.

A. In the event Company elects to protest the valuation for tax purposes set on its said properties by City or by the Harris County Appraisal District for any year or years during the terms hereof, nothing in this Agreement shall preclude such protest and Company shall have the right to take all legal steps desired by it to reduce the same.

Notwithstanding such protest by Company, and except as otherwise provided in Article VI(B), Company agrees to pay to City on or before the date therefore hereinabove provided, at least the total of (a) the total amount of ad valorem taxes on the annexed portions, plus (b) the total amount of the "in lieu of taxes" on the unannexed portions of Company's hereinabove described property which would be due to City in accordance with the foregoing provisions of this Agreement on the basis of renditions which shall be filed by Company.

When the City or Harris County Appraisal District (as the case may be) valuation on said property of Company has been so finally determined, either as the result of final judgment of a court of competent jurisdiction or as the result of other final conclusion of the controversy, then within thirty (30) days thereafter Company shall make payment to City of any additional payment due hereunder, or City shall make payment to Company of any refund due, as the case may be, based on such final valuation, together with applicable penalties, interests, and costs.

B. Should Company disagree with any appraisal made by the independent appraiser selected by City pursuant to Article II above (which shall be given in writing to Company), Company shall, within twenty (20) calendar days of receiving City's invoice, give written notice to the City of such disagreement. In the event Company does not give such written notice of disagreement within such time period, the appraisal made by said independent appraiser shall be final and controlling for purposes of the determination of "in lieu of taxes" payments to be made under this Agreement.

Should Company give such notice of disagreement, Company shall also

submit to the City with such notice a written statement setting forth what Company believes to be the market value of Company's hereinabove described property. Both parties agree to thereupon enter into good faith negotiations in an attempt to reach an agreement as to the market value of Company's property for "in lieu" purposes hereunder. If, after the expiration of thirty (30) days from the date the notice of disagreement was received by City, the parties have not reached agreement as to such market value, the parties agree to submit the dispute to final arbitration as provided in subparagraph 1 of this Article VI(B).

Notwithstanding any such disagreement by Company, Company agrees to pay to City on or before December 31 of each year during the term hereof, at least the total of (a) the ad valorem taxes on the annexed portions, plus (b) the total amount of the "in lieu" payments which would be due hereunder on the basis of Company's written valuations statement submitted to City by Company hereunder, or the total assessment and "in lieu of taxes" thereon for the last preceding year, whichever is higher.

1. A Board of Arbitrators shall be created composed of one person named by Company, one by City, and a third to be named by those two. In case of no agreement on this arbitrator in 10 days, the parties will join in a written request that the Chief Judge of the U.S. District Court for the Southern District of Texas appoint the third arbitrator who, (as the "Impartial Arbitrator") shall preside over the arbitration proceeding. The sole issue to be determined in the arbitration shall be resolution of the difference between the parties as to the fair market value of Company's property for calculation of the "in lieu" payment and total payment hereunder for the year in question. The Board shall hear and consider all relevant and material evidence on that issue including expert opinion, and shall render its written decision as promptly as practicable. That decision shall then be final and binding upon the parties, subject only to judicial review as may be available under the Texas General Arbitration Act (Chapter 171, "General Arbitration", Texas Civil Practice and Remedies Code). Costs of the arbitration shall be shared equally by the Company and the city, provided that each party shall bear its own attorneys fees.

VII.

City shall be entitled to a tax lien on Company's above described property, all improvements thereon, and all tangible personal property thereon, in the event of default in payment of "in lieu of taxes" payments hereunder, which shall accrue penalty and interest in like manner as delinquent taxes, and which shall be collectible by City in the same manner as provided by law for delinquent taxes.

VIII.

This Agreement shall inure to the benefit of and be binding upon City and Company, and upon Company's successors and assigns, affiliates and subsidiaries, and shall remain in force whether Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the property belonging to it within the territory hereinabove described, and the agreements herein contained shall be held to be covenants running with the land owned by Company situated within said territory, for so long as this Agreement or any extension thereof remains in force. Company shall give City written notice within ninety (90) days, with full particulars as to property assigned and identity of assignee, of any disposition of the Land, and assignment of this Agreement.

IX.

If City enters into an Agreement with any other landowner with respect to an industrial district or enters into a renewal of any existing industrial district agreements after the effective date hereof and while this Agreement is in effect, which contains terms and provisions more favorable to the landowner than those in this Agreement, Company and its assigns shall have the right to amend this Agreement and City agrees to amend same to embrace the more favorable terms of such agreement or renewal agreement.

X.

The parties agree that this Agreement complies with existing laws pertaining to the subject and that all terms, considerations and conditions set forth herein are lawful, reasonable, appropriate, and not unduly restrictive of Company's business activities. Without such agreement neither party hereto would enter into this Agreement. In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, articles or other parts of this Agreement or the application thereof to any person, firm, corporation or circumstances shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrase, clause, sentence, paragraph, section, article or other part of the Agreement shall be deemed to be independent of and separable from the remainder of this Agreement and the validity of the remaining parts of this Agreement shall not be affected thereby.

XI.

Upon the commencement of the term of this Agreement, all other previously existing industrial district agreements with respect to said Land shall terminate.

XII.

Notices by a party to the other party hereto, shall be mailed or delivered as follows:

To the City of La Porte: City Manager

City of La Porte
604 West Fairmont Parkway
La Porte, TX 77571

To Company: _____

Attention: _____ (COMPANY)
Department _____

Company shall promptly notify City of any change of ownership of Property, any assignment of this Agreement, and of any change of billing address.

Company shall notify City annually, on or before June 1, of any changes to the following information:

Plant Manager

Name: _____
Address: _____

Phone: _____
Fax: _____
Email: _____

Tax Agent/Billing Contact

Name: _____
Address: _____

Phone: _____
Fax: _____
Email: _____

ENTERED INTO effective the 1st day of January, 2020.

(COMPANY)
By: _____
Name: _____
Title: _____
Address: _____

ATTEST:

CITY OF LA PORTE, TEXAS

City Secretary

By: _____
Louis R. Rigby
Mayor

APPROVED:

Knox W. Askins
City Attorney
City of La Porte

P.O. Box 1218
La Porte, TX 77572-1218
281.471.1886
281.471.2047 fax
knoxaskins@comcast.net

By:

Corby D Alexander
City Manager

CITY OF LA PORTE, TEXAS
604 West Fairmont Parkway
La Porte, TX 77571

STATE OF TEXAS '
 '
COUNTY OF HARRIS '

This instrument was acknowledged before me on the ____ day of _____, 20__, by _____, _____ of _____ corporation, a _____ corporation, on behalf of said entity.

Notary Public, State of Texas

STATE OF TEXAS '
 '
COUNTY OF HARRIS '

This instrument was acknowledged before me on the ____ day of _____, 20__, by Louis R. Rigby, Mayor of the City of La Porte, a municipal corporation, on behalf of said entity.

Notary Public, State of Texas

"EXHIBIT A"

(Metes and Bounds Description of Land)

"EXHIBIT B"

Attach Plat reflecting the ownership boundary lines; a site layout, showing all improvements, including pipelines and railroads, and also showing areas of the Land previously annexed by the City of La Porte.)

"EXHIBIT C"
Page 1 of 3

RULES AND REGULATIONS

Any portion of Land constituting a strip of land 100' wide and contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146 shall be subject to the following rules and regulations pertaining to new signage, screening, driveways and median crossovers, as well as the stacking of intermodal shipping containers. These rules and regulations shall apply after the effective date of this Agreement when Company develops or constructs improvements on vacant Land described in Exhibit "A" which is adjacent to Fairmont Parkway, State Highway 225, or State Highway 146.

1. Any sign erected in said 100' strip of land shall be subject to the following provisions:
 - Ø One freestanding identification sign shall be permitted for each side of an industrial establishment that fronts on an improved public right-of-way.
 - Ø Freestanding identification signs for single tenant buildings shall not exceed 150 square feet in area.
 - Ø One freestanding identification sign for identifying multiple businesses is allowable at the intersection of improved public rights-of-way.
 - Ø Freestanding identification signs for multiple businesses shall not exceed 350 square feet.
 - Ø Freestanding identification signs shall not exceed 45 feet in height.
 - Ø Minimum setback for sign construction shall be ten (10) feet from property lines.
2. Intermodal shipping containers (including by not limited to freight and tank containers) shall be permitted to be stacked only to a maximum of two (2) containers in height in the said 100' strip. In those instances where shipping containers are placed within the said 100' wide strip, the screening requirements established in paragraph 3 immediately below shall apply.
3. When Land adjacent to said 100' strip is developed, the initial 50' of said strip beyond any existing pipeline easement contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146 shall be screened by one of the following techniques:
 - a) Leaving in place existing trees, vegetation, underbrush, etc. to provide a thorough and effective visual screening

"EXHIBIT C"
Page 2 of 3

of the development. Existing trees shall, together with other vegetation and underbrush, create a continuous visual screen.

- b) The use of earthen berms with approximately 3:1 side slopes, 50' wide at the base and 8' high. The berms may be landscaped with a combination of trees, shrubs, and ground cover. All berms and landscaping will be maintained by the property owners.
- c) A screening plan, to be approved by the City, that includes a combination of trees, shrubs, and ground cover that after 5 years growth will be at least 20 feet in height and shall, together with shrubs and ground cover, create a continuous visual screen. Provided, however, in public utility easements or rights-of-way, the vegetation shall be installed and maintained in a manner which is acceptable to the public utility company, and does not interfere with the operation and maintenance of the public utility facilities.

For items b and c above, the actual length of required screening along the roadway will be equal to the length of the new development that is parallel to the roadway. Screening shall not be required for new development that is to the rear of or behind existing facilities.

In all cases the 50' strip, along the entire roadway frontage, shall be dedicated as a landscape easement and shall be kept free from any improvements except for approved driveway access and identification signs.

For cases of new development or improvements where a 50' landscape easement is not available or practical, Company shall meet with City to determine a suitable landscaping alternative.

- d) In the case of land contiguous to Fairmont Parkway, in addition to the other requirements of these Rules and Regulations, Company shall dedicate to City by Plat a ten foot (10') wide pedestrian and bicycle easement, extending along Company's Fairmont Parkway boundary, within the fifty foot (50') landscape easement. The pedestrian easement shall not be within any pipeline facility, except for necessary crossings.
4. Driveways opening from said strip of land onto State Highway 225 or State Highway 146 shall be subject to the rules and regulations of the Texas Department of Transportation and provisions of the City's Code of Ordinances, whichever is more restrictive.

Driveways opening from said strip of land onto Fairmont Parkway shall be subject to the rules and regulations of Harris County and provisions of the City's Code of Ordinances, whichever is more restrictive.

5. Driveways opening from said strip of land onto Fairmont Parkway shall be approved by the City and may require the installation of separate acceleration/deceleration lanes.
6. Installation of a median crossover on Fairmont Parkway shall be subject to the approval of both Harris County and City.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 28, 2020</u>		
Requested By: <u>Michael G. Dolby, Director</u>		
Department: <u>Finance</u>		
<input checked="" type="radio"/> Report	<input type="radio"/> Resolution	<input type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: Ordinance and Proposed FY2021 Budget Presentation

SUMMARY & RECOMMENDATION

The La Porte City Council held a budget workshop on August 10, 2020 to discuss proposed budgets for the fiscal year beginning October 1, 2020 and ending September 30, 2021. A follow-up review was on the September 14th agenda. The Summary of Funds, which is shown below, represents the result of the workshops and subsequent reviews held with City Council. All changes made by City Council were incorporated into the various budgets.

	Revised 2020	Proposed 2021
General Fund	\$ 51,901,303	\$ 60,835,130
Grant Fund	8,799,445	10,567,103
Street Maintenance Sales Tax Fund	4,798,064	3,232,000
Emergency Services District Sales Tax Fund	1,273,830	1,376,338
Hotel/Motel Occupancy Tax	753,860	739,543
Economic Development Corporation	2,551,223	1,774,628
Tax Increment Reinvestment Zone	3,601,775	2,931,532
Utility	7,973,347	8,472,426
Airport	115,681	91,730
La Porte Area Water Authority	1,954,165	2,125,393
Motor Pool	2,833,019	3,172,859
Insurance Fund	8,960,190	9,867,814
Technology Fund	215,822	691,485
General Capital Improvement	16,064,487	4,171,741
Utility Capital Improvement	3,696,356	1,525,000
Sewer Rehabilitation Capital Improvement	300,000	350,000
Drainage Improvement Fund	1,236,614	4,205,000
General Debt Service	4,625,718	4,363,779
Total of All Funds	\$121,654,899	\$120,493,501

There is no change in the Tax Rate, which has remained constant at \$0.71 for the last (32) thirty-two years. Staff recommends City Council approving an Ordinance adopting the FY 2020-21 Budget.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve or deny an Ordinance for the City of La Porte's Fiscal Year 2020-21 Budget.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE 2020-3800

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD OF OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARATION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

WHEREAS, the Charter of the City of La Porte, Texas, and the Statutes of the State of Texas, require that an annual budget be prepared and presented to the City Council of the City of La Porte, Texas, prior to the beginning of the fiscal year of said City, and that a public hearing be held prior to the adoption of said Budget; and

WHEREAS, the Budget for the fiscal year October 1, 2020, through September 30, 2021, has heretofore been presented to the City Council and due deliberation had thereon, was filed in the office of the City Secretary on July 27, 2020, and a public hearing scheduled for September 28, 2020, was duly advertised and held.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

SECTION 1: That the Budget for the City of La Porte, Texas, now before the said City Council for consideration, a complete copy of which is on file with the City Secretary and incorporated hereto by reference, is hereby adopted as the Budget for the said City of La Porte, Texas, for the period of October 1, 2020, through September 30, 2021.

SECTION 2: Be it FURTHER ORDAINED, that the said City Council finds that all things requisite and necessary to the adoption of said Budget have been performed as required by charter or statute.

SECTION 3: The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 4: This ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this, the _____ day of September, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

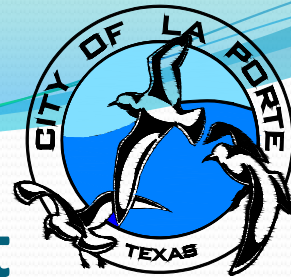
Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

City of La Porte
FY 2020-21 Budget
Public Hearing

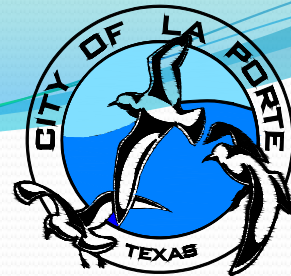
September 28, 2020





Changes from Published Proposed Budget

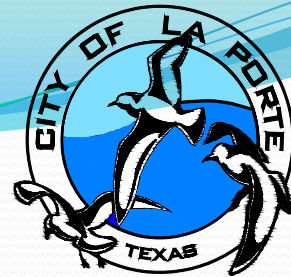
- General Fund
 - Human Resources - \$20,000 increase for Unemployment Compensation
 - Fire Marshal Office - \$46,649 reduction for Option 1 – Deputy Only
 - Non-Departmental - Increase hourly wages to \$10/hour – \$100,000
- Grant Fund
 - Coronavirus Relief Fund – \$1,948,265 added
- Tax Increment & Reinvestment Zone Fund - \$2,931,532
- Debt Service Transfers – remove and utilize excess debt service fund balance
 - \$662,356 - Utility Fund
 - \$773,470 - Economic Development



Summary for Hourly Wage Increase

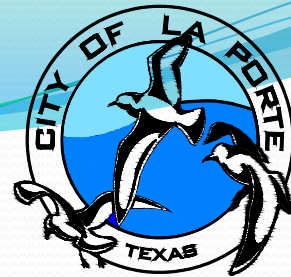
Part-Time Regular and seasonal	Parks, Golf	\$7.25	\$7.50	\$7.75	\$8.00	\$8.25	\$8.50	\$8.75	\$9.00	\$9.25	\$9.50	\$9.75	\$10.00
Proposed		\$10.00	\$10.25	\$10.50	\$10.75	\$11.00	\$11.25	\$11.50	\$11.75	\$12.00	\$12.25	\$12.50	\$12.75
Therapeutic Recreation Assistant	Parks	\$10.25	\$10.50	\$10.75	\$11.00	\$11.25							
Proposed		\$13.00	\$13.25	\$13.50	\$13.75	\$14.00							
Lifeguard	Parks	\$9.00	\$9.25	\$9.50	\$9.75								
Proposed		\$10.00	\$10.25	\$10.50	\$10.75								
Head Lifeguard	Parks	\$11.00	\$11.25	\$11.50	\$11.75								
Proposed		\$12.00	\$12.25	\$12.50	\$12.75								
Pool Manager	Parks	\$12.00	\$12.25	\$12.50	\$12.75								
Proposed		\$13.00	\$13.25	\$13.50	\$13.75								
Pool Custodian	Parks	\$8.00											
Proposed		\$10.00											
Assistant Pool	Parks	\$14.00											
Proposed		\$15.00											
Assistant Aquatics Coordinator	Parks	\$14.00											
Proposed		\$15.00											
Summer Aquatics Coordinator	Parks	\$17.50											
Proposed		\$18.50											

- The total projected budget impact of these proposed changes with benefits is \$100,000.
- The current contract for solid waste labor stipulated a minimum hourly wage of \$9.50 although the current rate being used is \$10.00. That contract is up for renewal in January of 2021 if Council wants to stipulate a \$10.00/hour minimum rate.



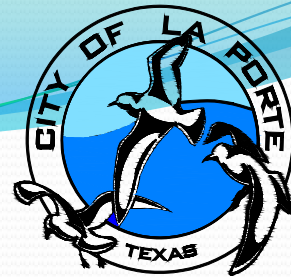
Budget Highlights for Fiscal Year 2020

- No property tax rate increase
- No utility fund rate increase
- Merit increases for non-civil service employees (\$552,344)
- Meet & confer increases for civil service employees (\$280,000)
- No change to health insurance employee contributions
- Capital projects of approximately \$13.8 million
(Including \$3.2 million from Street Maintenance Sales Tax Funding)



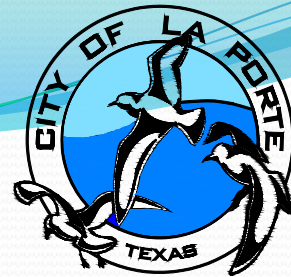
Budget Highlights for Fiscal Year 2020

- Vehicle replacement of \$1,826,111
- \$8.4 million from the General Fund for CIP
- \$4.0 million transfer from General Fund for Insurance Fund
- Proposed New Staff (FTE)
 - Deputy Fire Marshal
 - Commercial DOT Officers (3)
 - Adoption Center Specialist
 - Court Specialist (Upgrade to Full-time)
 - Facilities Maintenance Manager
 - Building Maintenance Technician (2)



Consolidated Summary of All Funds

<i>(In millions)</i>	Working Capital 09/30/20	FY 20-21 Revenues	FY 20-21 Expenses	Working Capital 09/30/21
Governmental Fund Types:				
General Fund	\$ 59.01	\$ 54.02	\$ 60.84	\$ 52.19
Grant Fund	2.35	10.25	10.57	2.03
Emergency Services District	1.60	1.50	1.38	1.72
Street Maintenance Sales Tax	(0.31)	3.61	3.23	0.07
Section 4B Sales Tax	4.61	3.02	1.77	5.86
Hotel/Motel Occupancy Tax	1.85	0.76	0.74	1.87
Tax Increment Reinvestment	4.81	6.76	2.93	8.65
Total Governmental Types	73.91	79.93	81.46	72.38
Enterprise:				
Utility	8.66	8.26	8.47	8.46
Airport	0.08	0.05	0.09	0.04
La Porte Area Water Authority	2.15	2.33	2.13	2.36
Total Enterprise	10.90	10.64	10.69	10.85



Consolidated Summary of All Funds

(In millions)

	Working Capital 09/30/20	FY 20-21 Revenues	FY 20-21 Expenses	Working Capital 09/30/21
Internal Service				
Motor Pool	6.42	3.79	3.17	7.03
Insurance Fund	0.71	10.33	9.87	1.17
Technology Fund	2.53	0.55	0.69	2.39
Total Internal Service	9.65	14.67	13.73	10.59
Capital Improvement:				
General CIP Fund	1.22	2.99	4.17	0.04
Utility CIP Fund	0.67	0.86	1.53	0.01
Sewer Rehabilitation	0.60	0.30	0.35	0.56
Drainage Improvement Fund	0.14	4.10	4.21	0.03
Total Capital Improvement	2.64	8.25	10.25	0.63
Debt Service:				
General	4.55	3.43	4.36	3.62
Total Debt Service	4.55	3.43	4.36	3.62
Total All Funds	\$ 101.64	\$ 116.92	\$ 120.49	\$ 98.07



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020

Requested By: Corby Alexander, City Mgr.

Department: Administration/CMO

☒ Report ☐ Resolution ☐ Ordinance

Exhibits: _____

Appropriation

Source of Funds: 032 - Grant Fund

Account Number: Various Divisions

Amount Budgeted: \$1,948,265.00

Amount Requested: \$701,039.79

Budgeted Item: ☒ Yes ☐ No

SUMMARY & RECOMMENDATION

In response to COVID-19, the Coronavirus Relief Fund (CRF) was established by the CARES Act, which appropriated \$150 billion to help state and local governments address the economic impacts of the coronavirus. Harris County received a direct allocation from the U.S. Treasury, and has established a Small Cities Assistance Program (SCAP) to provide appropriate reimbursement of Coronavirus Relief Funds (CRF) to the respective small cities within the county. Expenses that are eligible for reimbursement under the SCAP must be incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. The program allows Cities to take advantage of funding of up to \$55 per capita, provided the City meets County requirements. The CRF allocation for La Porte is a maximum of \$1,948,265.00. On August 24, 2020, City Council approved an Interlocal Agreement with Harris County for the Small Cities Assistance Program (SCAP). The City may now begin submitting requests for reimbursement to the County.

At the beginning of August, Emergency Management staff began meeting with the City Manager's Office, HR Manager, and Finance Director on a biweekly basis to discuss potential CRF projects. Under the CARES Act and Harris County SCAP, hazard pay is an eligible expense for certain public employees. Per the U.S. Treasury's updated "*CRF Guidance for State, Territorial, Local, and Tribal Governments*" issued on September 2, 2020, "payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency" are eligible for reimbursement under CRF. According to the guidance, local jurisdictions may presume that public health and safety employees meet the "substantially dedicated" test. The updated guidance from the U.S. Treasury also clarifies that public safety employees include

“police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel”. Outside of public health and safety employees, it is up to the City to maintain documentation of other employees that may be considered substantially dedicated.

To begin creating a proposal for hazard pay, staff needed to identify an appropriate timeframe for eligibility. Staff chose to establish the timeframe based on Harris County’s “Stay Home, Work Safe” Order, which was in effect for City employees from March 24, 2020 to May 3, 2020. To identify which City employees should be considered eligible for hazard pay, the Emergency Management Coordinator began by creating a database of all employees who were physically at work during that period, along with the number of hours worked. In creating the guidelines listed below, staff reviewed CRF guidance, as well as Department of Homeland Security (DHS) guidance on the *Essential Critical Infrastructure Workforce* that was utilized by Harris County during the Stay Home Order.

Staff established the following guidelines to determine which employees could be considered eligible:

- Public health and safety employees (Police, Fire, EMS, Dispatch, and support staff)
- Employees who were substantially dedicated to COVID-19 relief efforts (75% or more of their time was dedicated to COVID mitigation or response)
- Employees who performed a substantially different function due to COVID-19
- Critical maintenance staff and field workers who were unable to perform their role from home or in a secure office setting. These employees are critical to the City’s infrastructure and operations. They cannot work from home and the City cannot suspend their work for any period of time.
- Employees who were required to spend a significant amount of time engaging with members of the public due to their role

Once this criteria was established, staff requested that each Department Director provide a list of employees who could be considered eligible for hazard pay. This list was then reviewed and adjusted by the City Manager’s Office. Approximately 250 employees are included in the final proposal for hazard pay.

Emergency Management staff used this final list to create hazard pay options for each eligible employee that ranged from \$1 an hour for all hours worked to \$20 an hour for all hours worked. Based on thorough reviews of these options, staff is recommending the City provide hazard pay at a rate of \$14.50 an hour for each hour worked by eligible employees during the timeframe from March 24, 2020 to May 3, 2020. The total cost of this proposal is \$701,039.79, with a base rate of \$565,674.00, and \$135,365.79 for benefits. The proposal includes employees from the following groups:

- Public Safety: \$477,719.48
Employees in this category are automatically eligible under the “substantially dedicated” criteria, and were at a higher risk of exposure from community spread.

Community spread is explained by the CDC as, “spread of an illness [COVID-19] for which the source of infection is unknown”. Our public safety employees were at risk of being exposed to the unknown every time they responded to calls for service and/or interacted with the public on a daily basis. As discussed above, public safety also includes employees who provide direct support for public safety, including dispatchers and supervisory personnel.

- Office of Emergency Management: \$8,050.49
Two employees of the City’s Office of Emergency Management were substantially dedicated (greater than 75% of their time) to mitigating and responding to COVID-19 throughout the established time period.
- Finance: \$21,114.57
Based on the DHS guidance, financial services workers “who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)” were considered essential during the County’s “Stay Home, Work Safe” Order. Several of the City’s financial services employees were required to continue collecting tax, utility billing, and permit payments, as well as conduct meter reader services. These employees were at greater risk of exposure to COVID-19 due to having face-to-face contact with the public to collect payments and documents, and conduct other interactions with the public. Their work is also critical to the City’s financial management.
- Public Works: \$176,499.87
This department is critical to the City’s infrastructure and operations. These employees cannot work from home, and the City cannot suspend their work for any period of time. The proposal would provide hazard pay to critical maintenance staff and field workers who were unable to perform their role from home or in a low risk setting. Employees included in this category are responsible for maintaining City streets, collecting solid waste and heavy trash, maintaining the City’s fleet (including emergency response vehicles), ensuring production and distribution of drinking water, and providing for wastewater collection. These are critical operations and services the City must continue to provide under any circumstances.
- Parks and Recreation: \$3,099.80
The only time claimed for Parks employees would be for activities directly related to COVID-19, such as purchasing and delivering meals to seniors, storing and delivering COVID-19 related supplies to all departments, ensuring City parks and facilities were in compliance with State and County orders (closure of parks, basketball courts, benches, and playground equipment), disinfection of public facilities, etc. Hazard pay would only be provided based on hours worked by certain employees to carry out COVID-related activities.
- Plans and Inspections: \$14,555.58

Under the County's Order, residential and commercial construction was considered essential. To prevent disruption to building construction, the City's Inspections employees were required to continue daily interaction with the public to review building plans, meet with developers, and conduct building inspections.

The continuation of these essential services during the "Stay Home, Work Safe" Order placed certain employees at a greater risk of exposure to COVID-19. Staff carefully evaluated what employees in each department were at an increased risk to determine who should be eligible for hazard pay.

Including hazard pay, staff has developed the following proposed CRF funding plan for consideration by City Council.

Proposed CRF Funding Plan:

With a total potential funding allocation of \$1,948,265.00, staff is currently considering implementation of the following projects utilizing the City's CRF allocation. Project eligibility and funding will ultimately be determined by Harris County. Estimated costs are subject to change.

Project	Current Estimated Cost
Expenses that are ineligible under the FEMA Public Assistance Program	\$36,268.82
The 25% match required by the FEMA Public Assistance Program, which is only funded at 75%	\$39,267.96
Small Business Grant Program (if eligible)*	\$300,000.00
Residential Relief Program (if eligible)*	\$300,000.00
Hazard pay for eligible employees	\$701,039.79
Replace all remaining desktop computers in the City with laptops to improve telework capabilities	\$210,975.00
Cover the additional, unforeseen costs associated with the November election	\$43,063.27
Purchase a Customer Relationship Management (CRM) software program (cost for first 3 years)	\$46,212.00
UV Light Sterilization system for building HVAC units; serves as air sanitizer to improve indoor air quality and reduce bacteria, viruses, and mold.	\$75,000.00
Convert all City building restrooms to touchless devices (sinks, toilets, hand dryers)	\$196,438.16

*Staff is waiting to receive further guidance from Harris County to determine the eligibility of a local Small Business Grant Program and Residential Relief Program, and whether or not the City could implement their own programs or would be required to utilize the County's existing programs.

If required to use the same eligibility criteria as the County's established Small Business Recovery Fund, the requirements for businesses would be:

- In business for the entire 2019 calendar year
- Less than 30 employees
- No outstanding tax liens or judgments, excluding 2019 property taxes
- Demonstrative negative financial impact from COVID-19
- Located in Harris County/La Porte

- Must not have received other COVID-19 financial assistance
- Money can be used to assist with: payroll, mortgage, utility, or other business operating expenses
- Grant funding not to exceed \$25,000

Currently, the only County CRF-funded program available to assist residents is the Emergency Rental Assistance Program, which is designed to provide emergency financial assistance for critical rental assistance related to COVID-19. If required to use the same eligibility criteria as the County's established Emergency Rental Assistance Program for residents, the requirements for a local residential relief program would be:

- Must be 18 or older to qualify
- Total household income cannot exceed 50% of the HUD Area Median Family Income (HAMFI) limits
- No other COVID assistance received through Harris County
- Required Documentation: Proof of economic hardship due to COVID-19 (termination/furlough, unemployment application, etc.); Notice to vacate, proof of a lack of resources, and any unpaid rent statements; and Personal Identification and Lease Agreement
- Will assist with payments or arrears of rent and rent-associated fees from the period from March 2020 until December 2020
- Maximum of \$1,900 per household
- Paid directly to landlords on behalf of eligible households; landlord must have enrolled in the program for tenants to be eligible for assistance

The City may elect to transfer a portion of its CRF Small Cities Program allocation to the County's programs to provide assistance to City of La Porte businesses and residents.

Staff Recommendation:

Staff recommends approval of the proposed CRF Funding Plan for the City of La Porte.

ACTION REQUIRED BY CITY COUNCIL

Consider adoption of the Coronavirus Relief Fund (CRF) Funding Plan.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020

Requested By: Grady Parker, Manager

Department: Administration/IT

☒ Report ☐ Resolution ☐ Ordinance

Exhibits: Quotes from 3 vendors

Appropriation

Source of Funds: 001 – General Fund

Account Number: 0016066-519.4050

Amount Budgeted: None

Amount Requested: \$209,525

Budgeted Item: ☐ Yes ☒ No

SUMMARY & RECOMMENDATION

The City of La Porte Technology Department is requesting the purchase of 145 new laptops with 145 laptop docking stations. During the COVID pandemic the City of La Porte technology department received a number of request from multiple departments (Municipal Court, Finance, Planning & Development and Human Resources). The Technology Department was not equipped to fulfil these request and essential employees were directed to either come into the office or share laptops in a rotation to accommodate the work from home order. By replacing the vast majority of user desktops with laptops this will ensure the City of La Porte employees have the tools in place to effectively and efficiently fulfil their job duties while in a remote location. Our current desktop computers were purchased in 2016 and will be out of warranty and due to be replaced in 2022. By taking this opportunity to replace 145 desktops with laptops we start a new 5 year warranty window.

Dell, SHI, and Zones all are part of the Texas Department of Information Resources (DIR) cooperative (DIR-TSO-3763). There will be no added software cost for replacing the current desktops with laptops. The Technology staff will use our current enterprise software licensing when imaging the new laptops. There will be no added maintenance due to replacing desktops with laptops. The selected laptops are enterprise models and all the internal parts are easily accessible for maintenance or repair.

There are inherent risks with any mobile device lost, stolen, damaged by drops and security breaches. The Technology staff addresses the risk with constant communication with the end users. We remind them to always keep an eye on your device when they are in public places, always use a bag when traveling with a laptop. Technology staff protects against security risks by keeping the laptop's software

updated and making sure each device has the required virtual private network (VPN) client installed. By installing only the approved VPN client the end user is free to use any available Wi-Fi in order to access City of La Porte data and resources. Without the VPN the end user will not have any access to secured data other than their email and personal files. By using a VPN and allowing end users to use any public Wi-Fi this removes the need to purchase a MiFi device for every employee.

The requested purchase of the 145 laptops is an approved reimbursement through the Coronavirus Relief Fund (CRF). The Office of Emergency Management has verified, if the purchase is approved by City Council the funds will be reimbursed back into the General Fund. Staff has received three (3) written quotes (attached) from:

- Dell \$210,975
- Shi Government Solutions \$214,600
- Zones \$240,410

We would like to purchase the Laptops directly from Dell at a cost of \$184,875 and purchase the docking stations from Zones at a cost of \$24,650. This will make the total cost of both the laptops and docking stations \$209,525.

Once the 145 desktops are replaced staff intend to repurpose the desktops. After a thorough inspection and any needed upgrades are performed, staff will work with the Parks & Recreation Department to deploy the desktops to all the recreation centers, which can be utilized by all La Porte residents.

Since this purchase exceeds \$50,000, staff is recommending City Council approve the purchase of 145 laptops from Dell to replace desktops to provide for work efficiencies in an amount of \$209,525.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve or deny the purchase of 145 laptops with docking stations from Dell, which will be used for the replacement of 145 desktop computers.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



A quote for your consideration.

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	3000066495417.1	Sales Rep	Ezekiel Adewusi
Total	\$210,975.00	Phone	(800) 456-3355, 6180500
Customer #	15334235	Email	Ezekiel_Adewusi@Dell.com
Quoted On	Aug. 06, 2020	Billing To	CHERELL DAUEMER
Expires by	Sep. 05, 2020		CITY OF LA PORTE
			604 W FAIRMONT PKWY
			LA PORTE, TX 77571-6215

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
Ezekiel Adewusi

Shipping Group

Shipping To	Shipping Method
LYLE CAIN CITY OF LA PORTE 3001 N 23RD ST LA PORTE, TX 77571-3185 (281) 470-5033	Standard Delivery

Product	Unit Price	Qty	Subtotal
Dell Latitude 5510	\$1,275.00	145	\$184,875.00
Dell Dock- WD19 130w Power Delivery - 180w AC	\$180.00	145	\$26,100.00

Subtotal:	\$210,975.00
Shipping:	\$0.00
Non-Taxable Amount:	\$210,975.00
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00

Total:	\$210,975.00
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Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Shipping Group Details

Shipping To

LYLE CAIN
CITY OF LA PORTE
3001 N 23RD ST
LA PORTE, TX 77571-3185
(281) 470-5033

Shipping Method

Standard Delivery

			Qty	Subtotal
Dell Latitude 5510		\$1,275.00	145	\$184,875.00
Estimated delivery if purchased today: Sep. 11, 2020 Contract # C000000006841 Customer Agreement # DIR-TSO-3763				
Description	SKU	Unit Price	Qty	Subtotal
Latitude 5510 XCTO Base	210-AWLP	-	145	-
10th Generation Intel® Core™ i7-10610U (4 Core, 8M cache, base 1.8GHz, up to 4.9GHz, vPro)	379-BDVJ	-	145	-
Win 10 Pro 64 English, French, Spanish	619-AHKN	-	145	-
No AutoPilot	340-CKSZ	-	145	-
No Productivity Software	630-AAPK	-	145	-
VMware Carbon Black Cloud Endpoint Standard NGAV, B-EDR, 3 Years	528-CHEB	-	145	-
Intel UHD Graphics 620 with Displayport over Type-C for i7-10610U	338-BUSH	-	145	-
Intel ME disabled	631-ACKV	-	145	-
16GB, 2x8GB, DDR4 Non-ECC	370-AFEG	-	145	-
M.2 512G PCIe NVMe Class 35 2230 Solid State Drive	400-BIJU	-	145	-
LCD back cover for Touch Latitude 5510, WLAN+WWAN Capable, Carbon Fiber Reinforced Polymer	320-BDRC	-	145	-
IR Cam/Mic Bezel with Dell Privacy Shutter	325-BDQY	-	145	-
15.6" FHD WVA (1920 x 1080) Anti-Glare with Embedded Touch, 220 nits	391-BEZW	-	145	-
Dual Pointing with No Fingerprint and No SmartCard Reader	346-BGGT	-	145	-
Dual Pointing Backlit US English Keyboard	583-BFBO	-	145	-
Wireless Qualcomm 61x4A WLAN Driver	555-BFOB	-	145	-
Qualcomm(R) QCA61x4A 802.11ac Dual Band (2x2) Wireless Adapter, Bluetooth 4.2	555-BCMW	-	145	-
No Mobile Broadband Card	556-BBCD	-	145	-
4 Cell 68Whr ExpressCharge Capable Battery	451-BCKB	-	145	-
E5 65W 7.4mm Lot 6 PCR EPEAT, Liteon	492-BCWY	-	145	-
No Anti-Virus Software	650-AAAM	-	145	-
OS-Windows Media Not Included	620-AALW	-	145	-
E5 US Power Cord	450-AAEJ	-	145	-
5510 Quick Start Guide for Windows 10, Ubuntu	340-CPPF	-	145	-
US Order	332-1286	-	145	-
SERI Guide (ENG/FR/Multi)	340-AGIK	-	145	-

Custom Configuration	817-BBBB	-	145	-
Regulatory Label, FCC	389-DPGZ	-	145	-
SupportAssist	525-BBCL	-	145	-
Dell(TM) Digital Delivery Cirrus Client	640-BBLW	-	145	-
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	658-BBMR	-	145	-
Waves Maxx Audio	658-BBRB	-	145	-
Dell Power Manager	658-BDVK	-	145	-
Dell SupportAssist OS Recovery Tool	658-BEOK	-	145	-
Dell Optimizer	658-BEQP	-	145	-
Dell Latitude 5510 SRV	658-BESB	-	145	-
Direct Ship Info	340-AAPP	-	145	-
MIX SHIP Config (DAO/BCC)	340-CQGC	-	145	-
Intel(R) Core(TM) i7 Processor Label	340-CNBW	-	145	-
No Option Included	340-ACQQ	-	145	-
No Mouse	570-AADK	-	145	-
No Resource DVD / USB	430-XXYG	-	145	-
No ENERGY STAR Qualified	387-BBCE	-	145	-
BTO Standard Shipment (S)	800-BBQN	-	145	-
No UPC Label	389-BCGW	-	145	-
No Removable CD/DVD Drive	429-AATO	-	145	-
Latitude 5510 Bottom Door	321-BFIZ	-	145	-
EPEAT 2018 Registered (Gold)	379-BDZB	-	145	-
Dell Limited Hardware Warranty Extended Year(s)	975-3461	-	145	-
Thank you choosing Dell ProSupport. For tech support, visit //support.dell.com/ProSupport	989-3449	-	145	-
Dell Limited Hardware Warranty	997-8317	-	145	-
ProSupport: 7x24 Technical Support, 3 Years	997-8344	-	145	-
ProSupport: Next Business Day Onsite, 1 Year	997-8349	-	145	-
ProSupport: Next Business Day Onsite, 2 Year Extended	997-8354	-	145	-
			Qty	Subtotal

Dell Dock- WD19 130w Power Delivery - 180w AC

\$180.00 145 \$26,100.00

Estimated delivery if purchased today:

Aug. 13, 2020

Contract # C000000006841

Customer Agreement # DIR-TSO-3763

Description	SKU	Unit Price	Qty	Subtotal
Dell Dock- WD19 130 PD	210-ARIQ	-	145	-
Advanced Exchange Service, 3 Years	824-3984	-	145	-
Dell Limited Hardware Warranty	824-3993	-	145	-

Subtotal: \$210,975.00
Shipping: \$0.00
Estimated Tax: \$0.00

Total: \$210,975.00

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

Supplier Software Licenses and Services Descriptions : Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on www.Dell.com/eula. Descriptions and terms for Supplier-branded standard services are stated at www.dell.com/servicecontracts/global or for certain infrastructure products at www.dell.com/en-us/customer-services/product-warranty-and-service-descriptions.htm

Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

^Dell Business Credit (DBC):

OFFER VARIES BY CREDITWORTHINESS AS DETERMINED BY LENDER. Offered by WebBank to Small and Medium Business customers with approved credit. Taxes, shipping and other charges are extra and vary. Minimum monthly payments are the greater of \$15 or 3% of account balance. Dell Business Credit is not offered to government or public entities, or business entities located and organized outside of the United States.

Customer agrees to accept delivery of its order within a reasonable amount of time from when the order is shipped.



Pricing Proposal
Quotation #: 19270544
Created On: 8/12/2020
Valid Until: 8/31/2020

CITY OF LA PORTE

Grady Parker

La Porte, TX
United States
Phone: 281.470.5034
Fax:
Email: ParkerG@laportetx.gov

Inside Account Manager

Richard Lettiere

Questions, quote requests, and
PO's please send to
Texas@shi.com

**3828 Pecana Trail
Austin, TX 78749**

Phone: 800-870-6079
Fax: 512-732-0232
Email: Richard_Lettiere@SHI.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	Dell Latitude 5510 Dell - Part#: 3000066816379.1 Contract Name: Dell (Order Filler) Contract #: DIR-TSO-3763 Subcontract #: C000000383112	145	\$1,300.00	\$188,500.00
2	Dell Dock- WD19 130w Power Delivery - 180w AC Dell - Part#: 210-ARIQ Contract Name: Dell (Order Filler) Contract #: DIR-TSO-3763 Subcontract #: C000000383112	145	\$180.00	\$26,100.00
			Total	\$214,600.00

Additional Comments

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3695478; DUNS# 14-724-3096

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.



7/31/2020

Bill To:
CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571
Phone : (281) 471-5020

Ship To:
GRADY PARKER
CITY OF LA PORTE
604 WEST FAIRMONT PARKWAY
LA PORTE, TX 77571
USA

Account # 0071078560
Quote : K1575390
PO# :

Software prices subject to change

Hardware quotes are valid for 7 business days

Memory Prices are valid for 24 hours only, call for verification

REMIT PAYMENT TO:
ZONES LLC
PO Box 34740
Seattle WA 98124-1740

**PLEASE SEND PURCHASE
ORDERS DIRECTLY TO YOUR
ZONES LLC ACCOUNT MANAGER
VIA FAX OR EMAIL**

Jade Jacobson
AE
Phone:253-205-3586

Email: Jade.Jacobson@zones.com

Item #	Qty.	Mfr. Name	Description	Manufacturers Part #	Unit Price	Total
008114292-CLP	145	DELL RESELLER DIVISION	Dell Latitude 5510 - Intel i7 - 16GB - 500GB HDD - 15.6in NonTouch - W Non-returnable item	3000065916246.1	1488.00	215,760.00
O 00162805 SPO N	145	ZONES INC (ITD)	Dell Dock- WD19 90w Power Delivery - 130w AC	O 00162805 SPO	170.00	24,650.00

ASK US ABOUT

Installation Services

On-site Technical Services and Hourly Service Rates

Remote Help Desk and Remote Network OS Support

Sub-Total: \$240,410.00

Estimated Sales Tax: \$0.00

FedEx Ground: \$0.00

Grand Total: \$240,410.00

Visit us on the web: <http://www.zones.com>

**FINANCING, LEASING AND SUBSCRIPTION OPTIONS AVAILABLE ! CONTACT
LEASING@ZONES.COM FOR MORE INFORMATION !**

ZONES LLC
1102 15th Street S.W. Suite 102
Auburn, USA 98001
Phone: (800) 419-9663



CERTIFIED
as an NMBC
**MINORITY BUSINESS
ENTERPRISE**
by the NMBC

IN THE EVENT THAT YOU HAVE AN AGREEMENT ("AGREEMENT") IN PLACE WITH ZONES, LLC, THAT GOVERNS THE SALE ASSOCIATED HEREWITH, SUCH AGREEMENT SHALL GOVERN; OTHERWISE THE TERMS AND CONDITIONS OF SALE SET FORTH ON THE WEB PAGE LINKED AT WWW.ZONES.COM/TERMSOFSALE ("TERMS AND CONDITIONS"), SHALL GOVERN. ZONES EXPRESSLY LIMITS THE TERMS AND CONDITIONS OF THIS SALE TO SUCH AGREEMENT OR THE TERMS AND CONDITIONS, AS APPLICABLE, AND ZONES EXPRESSLY OBJECTS TO, DISCLAIMS, AND REJECTS ANY DIFFERENT OR ADDITIONAL TERMS SET FORTH IN ANY OF CUSTOMER'S DOCUMENTS OR COMMUNICATIONS. ZONES EXPRESSLY DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES.

WE APPRECIATE THIS OPPORTUNITY TO EARN YOUR BUSINESS, AND LOOK FORWARD TO SERVING YOU SOON! THANK YOU!



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020
Requested By: Michael G. Dolby, Director
Department: Finance
☐ Report ☒ Resolution ☐ Ordinance

Exhibits: Resolution & Certified Tax Roll

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

SUMMARY & RECOMMENDATION

On September 1, 2020, the City of La Porte received the Certified Appraisal Roll from the Harris County Appraisal District.

Section 26.04 of the State Property Tax Code requires the submission of the Appraisal Roll to the Governing Body.

The 2020 Certified Tax Roll for the City of La Porte, as received from the Harris County Appraisal District (HCAD), shows a total appraised value of \$4,451,415,245 and a total taxable value of \$3,683,469,847.

Staff recommends City Council approving the attached Resolution accepting the 2020 Certified Tax Roll for the City of La Porte.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve or deny a Resolution accepting the appraisal roll.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

RESOLUTION 2020-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, ADOPTING THE 2020 APPRAISAL ROLL OF THE HARRIS COUNTY APPRAISAL DISTRICT.

WHEREAS, the Harris County Appraisal District has submitted to the City Council of the City of La Porte, for approval, the 2020 tax appraisal roll; and

WHEREAS, the City Council is of the opinion that the 2020 appraisal roll with the amounts shown therein should be adopted;

WHEREAS, the Harris County Appraisal District has certified to the City Council that there was situated in the City of La Porte, Texas, as of January 1, 2020, property with a total appraised value of \$4,451,415,245.00 and a total taxable value of \$3,683,469,847.00.

WHEREAS, new personal property added to the appraisal roll had a total taxable value of \$119,407,568.00 as of January 1, 2020;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

Section 1. The 2020 tax appraisal roll, showing that there was situated in the City of La Porte, Texas, as of January 1, 2020, property with a total appraised value of \$4,451,415,245.00 and a total taxable value of \$3,683,469,847.00, as submitted by the Harris County Appraisal District, is hereby adopted;

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 28th day of September, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark T. Askins, Assistant City Attorney

HARRIS COUNTY APPRAISAL DISTRICT
HOUSTON, TEXAS

THE STATE OF TEXAS, }
COUNTY OF HARRIS. }

2020
CERTIFICATION OF APPRAISAL ROLL AND
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)
FOR
City of La Porte

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2020 appraisal roll of properties taxable by City of La Porte. The roll is delivered in electronic form.

The total appraised value now on the appraisal roll for this unit is: \$4,451,415,245

The taxable value now on the appraisal roll for this unit is: \$3,683,469,847

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$355,219,629

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$90,918,216

Signed this 4th day of September, 2020



Roland Altinger

Roland Altinger, CAE, RPA, CTA
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2020 appraisal roll on this the 1st day of September, 2020

Charlene Piggott
Tax Assessor-Collector

071 CITY OF LAPORTE

TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT

PROPERTY USE CATEGORY RECAP

CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020

DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	9,741	2,295.7829	1,828,478,973	1,792,163,632	0	443,748,759	1,348,414,873
A2 Real, Residential, Mobile Homes	68	18.7951	4,124,745	3,874,637	0	602,173	3,272,464
B1 Real, Residential, Multi-Family	14	57.1811	67,853,271	67,853,271	0	41,733	67,811,538
B2 Real, Residential, Two-Family	54	9.2940	5,646,776	5,625,922	0	181,083	5,444,839
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	740	196.1133	23,837,591	22,678,383	0	310,025	22,368,358
C2 Real, Vacant Commercial	422	373.5738	39,258,160	39,258,160	0	113,799	39,144,361
C3 Real, Vacant	12	8.4417	1,508,626	1,508,626	0	0	1,508,626
D1 Real, Qualified Agricultural Land	38	529.2065	32,654,171	0	269,396	0	269,396
D2 Real, Unqualified Agricultural Land	33	453.7990	14,173,927	14,173,927	0	1,450,907	12,723,020
E1 Real, Farm & Ranch Improved	4	7.7760	1,844,387	1,616,537	0	503,306	1,113,231
F1 Real, Commercial	558	1,203.9942	945,073,748	943,843,639	0	114,186	943,729,453
F2 Real, Industrial	54	854.1468	336,697,655	336,697,655	0	343,070	336,354,585
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	2	0.0000	5,663,040	5,663,040	0	0	5,663,040
J3 Electric Companies	26	92.3902	26,841,656	26,841,656	0	0	26,841,656
J4 Telephone Companies	4	0.0000	2,673,210	2,673,210	0	0	2,673,210
J5 Railroads	23	179.3445	7,294,570	7,294,570	0	0	7,294,570
J6 Pipelines	138	3.7460	18,740,849	18,740,849	0	410,216	18,330,633
J7 Major Cable Television Systems	2	0.0000	8,157,030	8,157,030	0	0	8,157,030
L1 Tangible, Commercial	905	0.0000	255,572,461	255,572,461	0	33,366	255,539,095
L2 Tangible, Industrial	408	0.0000	590,685,427	590,685,427	0	25,842,064	564,843,363
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	580	0.0000	8,876,888	8,876,888	0	842,594	8,034,294
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	17	0.0000	218,601	218,601	0	0	218,601
O2 Inventory	16	0.0000	2,420,265	2,420,265	0	25,862	2,394,403
S1 Dealer Inventory	14	0.0000	1,325,208	1,325,208	0	0	1,325,208
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Personal Property (<\$500)	0	0.0000	0	0	0	0	0
XC Mineral Interest (<\$500)	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	4	0.0000	287,323	287,323	0	287,323	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	2	2.0088	845,719	845,719	0	845,719	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles (Income Production & Personal Use)	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee Held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	928	1,860.9847	292,249,213	292,249,213	0	292,249,213	0
JURISDICTION TOTALS:	14,807	8,146.5786	\$4,523,003,490	\$4,451,145,849	\$269,396	\$767,945,398	\$3,683,469,847

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP

LAST UPDATED: 08/21/2020

DELV DATE: 09/04/2020

071 CITY OF LAPORTE

TAX YEAR: 2020

UNCERTIFIED ROLL 00

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	1,260	373.6371	212,291,064	201,194,983	0	37,050,521	164,144,462
A2 Real, Residential, Mobile Homes	7	1.8511	438,632	426,196	0	67,160	359,036
B1 Real, Residential, Multi-Family	7	11.2339	10,017,039	10,017,039	0	0	10,017,039
B2 Real, Residential, Two-Family	19	3.8253	2,863,617	2,857,100	0	84,054	2,773,046
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	304	107.7902	14,058,140	14,030,671	0	46,263	13,984,408
C2 Real, Vacant Commercial	171	350.2356	39,310,591	39,310,591	0	0	39,310,591
C3 Real, Vacant	5	25.7364	336,075	269,098	0	24,558	244,540
D1 Real, Qualified Agricultural Land	2	233.7988	9,696,435	0	11,689	0	11,689
D2 Real, Unqualified Agricultural Land	9	185.3065	12,477,309	12,477,309	0	0	12,477,309
E1 Real, Farm & Ranch Improved	2	4.0252	1,140,100	928,521	0	245,704	682,817
F1 Real, Commercial	186	240.1707	112,306,309	112,306,309	0	12,000	112,294,309
F2 Real, Industrial	5	25.1594	21,721,767	21,721,767	0	0	21,721,767
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
UNCERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	0	0.0000	0	0	0	0	0
J3 Electric Companies	0	0.0000	0	0	0	0	0
J4 Telephone Companies	1	1.1478	367,232	367,232	0	0	367,232
J5 Railroads	0	0.0000	0	0	0	0	0
J6 Pipelines	0	0.0000	0	0	0	0	0
J7 Major Cable Television Systems	0	0.0000	0	0	0	0	0
L1 Tangible, Commercial	375	0.0000	87,425,100	87,425,100	0	1,629,004	85,796,096
L2 Tangible, Industrial	50	0.0000	23,169,868	23,169,868	0	145	23,169,723
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	4	0.0000	93,905	93,905	0	0	93,905
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	16	0.0000	160,000	160,000	0	0	160,000
O2 Inventory	1	0.0000	127,544	127,544	0	0	127,544
S1 Dealer Inventory	10	0.0000	914,238	914,238	0	0	914,238
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Personal Property (<\$500)	0	0.0000	0	0	0	0	0
XC Mineral Interest (<\$500)	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
UNCERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	0	0.0000	0	0	0	0	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	0	0.0000	0	0	0	0	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles (Income Production & Personal Use)	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee Held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	3	1.1478	223,624	223,624	0	223,624	0
JURISDICTION TOTALS:	2,437	1,565.0658	\$549,138,589	\$528,021,095	\$11,689	\$39,383,033	\$488,649,751

071 CITY OF LAPORTE

TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
SUMMARY OF RESIDENTIAL HOMESTEADS SUBJECT TO 10% CAP
CERTIFIED ROLL 00

UNITS	MARKET	CAPPED	LOSS
1,678	\$312,485,939	\$275,214,769	\$37,271,170

SUMMARY FOR AVERAGE RESIDENTIAL VALUES - (A1 & A2)

	UNITS		MARKET	APPRAISED(CAP)	TAXABLE
ALL RESIDENCES	9,809	TOTAL	\$1,832,603,718	\$1,796,038,269	\$1,351,687,337
		AVERAGE	\$186,828	\$183,101	\$137,800
HOMESTEAD RESIDENCES	7,407	TOTAL	\$1,449,447,662	\$1,412,882,213	\$968,587,831
		AVERAGE	\$195,686	\$190,749	\$130,766

SUMMARY FOR AVERAGE RESIDENTIAL VALUES - (M3 Mobile Homes)

	UNITS		MARKET	APPRAISED(CAP)	TAXABLE
ALL RESIDENCES	580	TOTAL	\$8,876,888	\$8,876,888	\$8,034,294
		AVERAGE	\$15,304	\$15,304	\$13,852
HOMESTEAD RESIDENCES	93	TOTAL	\$1,255,351	\$1,255,351	\$423,982
		AVERAGE	\$13,498	\$13,498	\$4,558

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
SUMMARY OF RESIDENTIAL HOMESTEADS SUBJECT TO 10% CAP
UNCERTIFIED ROLL 00

LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

UNITS	MARKET	CAPPED	LOSS
353	\$80,598,472	\$69,177,413	\$11,421,059

SUMMARY FOR AVERAGE RESIDENTIAL VALUES - (A1 & A2)

	UNITS		MARKET	APPRAISED(CAP)	TAXABLE
ALL RESIDENCES	1,267	TOTAL	\$212,729,696	\$201,621,179	\$164,503,498
		AVERAGE	\$167,900	\$159,132	\$129,837
HOMESTEAD RESIDENCES	638	TOTAL	\$141,673,085	\$130,564,568	\$93,446,887
		AVERAGE	\$222,058	\$204,646	\$146,468

SUMMARY FOR AVERAGE RESIDENTIAL VALUES - (M3 Mobile Homes)

	UNITS		MARKET	APPRAISED(CAP)	TAXABLE
ALL RESIDENCES	4	TOTAL	\$93,905	\$93,905	\$93,905
		AVERAGE	\$23,476	\$23,476	\$23,476
HOMESTEAD RESIDENCES	0	TOTAL	\$0	\$0	\$0
		AVERAGE	\$0	\$0	\$0

EXEMPTION TYPE	UNITS	ACREAGE	APPRAISED	EXEMPTIONS
ABT ABATEMENT	0	0.0000	0	0
APD APPORTIONED PARTIAL DISABILITY	1	0.1263	8,429	6,743
APO APPORTIONED PARTIAL OVER-65	0	0.0000	0	0
APR APPORTIONED PARTIAL RESIDENTIAL	2	0.3788	87,653	17,531
APS APPORTIONED PARTIAL SURVIVING SPOUSE	0	0.0000	0	0
CBD CUSTOM BONDS	0	0.0000	0	0
DIS DISABILITY	346	88.8357	58,689,769	19,738,823
ERE EMERGENCY RESPONSE EQUIPMENT	0	0.0000	0	0
ESP ENERGY STORAGE PROPERTIES	0	0.0000	0	0
FPT FREEPORT	0	0.0000	0	0
FTZ FOREIGN TRADE ZONE	2	0.0000	19,027,479	17,535,239
GCC GREEN COFFEE OR COCOA	0	0.0000	0	0
GIT GOODS IN TRANSIT	0	0.0000	0	0
HIS HISTORICAL	0	0.0000	0	0
IFC INTERSTATE OR FOREIGN COMMERCE	3	0.0000	7,889,330	7,889,330
LIH LOW INCOME HOUSING	0	0.0000	0	0
MCL METHANE CAPTURE AT LANDFILL	0	0.0000	0	0
ODR STORED OFFSHORE DRILLING RIG	0	0.0000	0	0
OVR OVER-65	2,113	606.3435	391,314,770	123,782,891
PAR PARTIAL RESIDENTIAL HOMESTEAD	45	17.2186	1,527,289	305,457
PDS PARTIAL DISABILITY	7	3.5977	337,139	0
PEX PARTIAL TOTAL	0	0.0000	0	0
PMD PRECIOUS METALS IN DEPOSITORY	0	0.0000	0	0
POL POLLUTION CONTROL	5	53.8102	5,554,205	2,641,581
POV PARTIAL OVER-65	22	8.8527	714,185	0
PRO PRORATED	0	0.0000	0	0
PUV PERSONAL USE VEHICLE (LEASED)	0	0.0000	0	0
RES RESIDENTIAL HOMESTEAD	7,488	1,801.3843	1,414,801,866	281,417,603
SFT SURVIVING SPOUSE FIRST RESPONDER TRANSFER	0	0.0000	0	0
SOL SOLAR	14	9.8411	3,431,444	304,650
SPV SOLE PROPRIETORSHIP VEHICLE	1	0.0000	6,217	6,217
SSA SURVIVING SPOUSE ACTIVE DUTY	1	0.1515	181,914	145,531

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
EXEMPTION RECAP
CERTIFIED ROLL 00

Page 2 of 2
LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

EXEMPTION TYPE	UNITS	ACREAGE	APPRAISED	EXEMPTIONS
SSD SURVIVING SPOUSE DISABILITY	2	0.2055	347,673	0
SSF SURVIVING SPOUSE FIRST RESPONDER	1	0.1951	292,942	234,354
STT SURVIVING SPOUSE TOTAL TRANSFER	1	0.1606	194,000	194,000
STX SURVIVING SPOUSE VET DISABILITY TOTAL EXEMPTION	5	0.8117	873,070	254,228
SUR SURVIVING SPOUSE OVER-65	186	47.4070	32,479,213	10,969,990
TOT TOTAL	995	1,864.2130	293,605,872	293,605,872
UND UNDER \$500 EXEMPTION	8	0.0000	985	985
V11 VET DISABILITY #1 10-29 PCT	19	3.3606	3,589,986	90,000
V12 VET DISABILITY #1 30-49 PCT	13	2.2739	2,489,318	97,500
V13 VET DISABILITY #1 50-69 PCT	18	4.5971	4,032,254	180,000
V14 VET DISABILITY #1 70-100 PCT	103	29.1251	19,198,997	1,169,769
V21 VET DISABILITY #2 10-29 PCT	0	0.0000	0	0
V22 VET DISABILITY #2 30-49 PCT	1	0.2700	153,170	7,500
V23 VET DISABILITY #2 50-69 PCT	0	0.0000	0	0
V24 VET DISABILITY #2 70-100 PCT	1	0.0000	11,225	0
VCH VET CHARITABLE DISABILITY	0	0.0000	0	0
VS1 VET SURVIVOR 10-29 PCT	1	0.2309	221,892	5,000
VS2 VET SURVIVOR 30-49 PCT	0	0.0000	0	0
VS3 VET SURVIVOR 50-69 PCT	0	0.0000	0	0
VS4 VET SURVIVOR 70-100 PCT	4	0.7277	720,178	48,000
VTX VET DISABILITY TOTAL EXEMPTION	60	24.0050	12,010,511	7,296,604
JURISDICTION TOTALS:	11,468	4,568.1236	\$2,273,792,975	\$767,945,398

071 CITY OF LAPORTE

TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT

EXEMPTION RECAP

UNCERTIFIED ROLL 00

Page 1 of 2

LAST UPDATED: 08/21/2020

DELV DATE: 09/04/2020

EXEMPTION TYPE	UNITS	ACREAGE	APPRAISED	EXEMPTIONS
ABT ABATEMENT	0	0.0000	0	0
APD APPORTIONED PARTIAL DISABILITY	0	0.0000	0	0
APO APPORTIONED PARTIAL OVER-65	0	0.0000	0	0
APR APPORTIONED PARTIAL RESIDENTIAL	0	0.0000	0	0
APS APPORTIONED PARTIAL SURVIVING SPOUSE	0	0.0000	0	0
CBD CUSTOM BONDS	0	0.0000	0	0
DIS DISABILITY	19	8.5725	3,430,458	1,100,042
ERE EMERGENCY RESPONSE EQUIPMENT	0	0.0000	0	0
ESP ENERGY STORAGE PROPERTIES	0	0.0000	0	0
FPT FREEPORT	0	0.0000	0	0
FTZ FOREIGN TRADE ZONE	0	0.0000	0	0
GCC GREEN COFFEE OR COCOA	0	0.0000	0	0
GIT GOODS IN TRANSIT	0	0.0000	0	0
HIS HISTORICAL	0	0.0000	0	0
IFC INTERSTATE OR FOREIGN COMMERCE	0	0.0000	0	0
LIH LOW INCOME HOUSING	0	0.0000	0	0
MCL METHANE CAPTURE AT LANDFILL	0	0.0000	0	0
ODR STORED OFFSHORE DRILLING RIG	0	0.0000	0	0
OVR OVER-65	145	61.2749	31,073,857	8,520,816
PAR PARTIAL RESIDENTIAL HOMESTEAD	10	6.7285	416,171	83,234
PDS PARTIAL DISABILITY	0	0.0000	0	0
PEX PARTIAL TOTAL	0	0.0000	0	0
PMD PRECIOUS METALS IN DEPOSITORY	0	0.0000	0	0
POL POLLUTION CONTROL	0	0.0000	0	0
POV PARTIAL OVER-65	5	2.1983	161,374	0
PRO PRORATED	0	0.0000	0	0
PUV PERSONAL USE VEHICLE (LEASED)	14	0.0000	1,570,717	1,570,717
RES RESIDENTIAL HOMESTEAD	636	236.8876	131,226,570	26,118,246
SFT SURVIVING SPOUSE FIRST RESPONDER TRANSFER	0	0.0000	0	0
SOL SOLAR	2	0.2253	566,912	22,950

071 CITY OF LAPORTE
TAX YEAR: 2020

HARRIS COUNTY APPRAISAL DISTRICT
EXEMPTION RECAP
UNCERTIFIED ROLL 00

Page 2 of 2
LAST UPDATED: 08/21/2020
DELV DATE: 09/04/2020

EXEMPTION TYPE	UNITS	ACREAGE	APPRAISED	EXEMPTIONS
SPV SOLE PROPRIETORSHIP VEHICLE	0	0.0000	0	0
SSA SURVIVING SPOUSE ACTIVE DUTY	0	0.0000	0	0
SSD SURVIVING SPOUSE DISABILITY	0	0.0000	0	0
SSF SURVIVING SPOUSE FIRST RESPONDER	0	0.0000	0	0
STT SURVIVING SPOUSE TOTAL TRANSFER	0	0.0000	0	0
STX SURVIVING SPOUSE VET DISABILITY TOTAL EXEMPTION	0	0.0000	0	0
SUR SURVIVING SPOUSE OVER-65	9	11.6061	2,870,281	540,000
TOT TOTAL	7	1.1478	327,296	300,447
UND UNDER \$500 EXEMPTION	21	0.0000	4,760	4,760
V11 VET DISABILITY #1 10-29 PCT	2	0.2219	368,425	10,000
V12 VET DISABILITY #1 30-49 PCT	3	0.6740	644,019	22,500
V13 VET DISABILITY #1 50-69 PCT	4	2.4234	931,568	40,000
V14 VET DISABILITY #1 70-100 PCT	11	5.1569	2,756,998	132,000
V21 VET DISABILITY #2 10-29 PCT	0	0.0000	0	0
V22 VET DISABILITY #2 30-49 PCT	0	0.0000	0	0
V23 VET DISABILITY #2 50-69 PCT	0	0.0000	0	0
V24 VET DISABILITY #2 70-100 PCT	0	0.0000	0	0
VCH VET CHARITABLE DISABILITY	0	0.0000	0	0
VS1 VET SURVIVOR 10-29 PCT	0	0.0000	0	0
VS2 VET SURVIVOR 30-49 PCT	0	0.0000	0	0
VS3 VET SURVIVOR 50-69 PCT	0	0.0000	0	0
VS4 VET SURVIVOR 70-100 PCT	0	0.0000	0	0
VTX VET DISABILITY TOTAL EXEMPTION	7	0.7879	1,556,750	917,321
JURISDICTION TOTALS:	895	337.9051	\$177,906,156	\$39,383,033



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020
Requested By: Michael Dolby, Director
Department: Finance
☐ Report ☐ Resolution ☐ Ordinance

Exhibits: Ordinance & No-New-Revenue Tax Rate Calculation

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

SUMMARY & RECOMMENDATION

The City of La Porte's tax assessor collector calculated the no-new-revenue tax rate at \$0.715 and the voter-approval rate at \$0.725. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. The voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election.

The proposed tax rate is \$0.71; therefore, a public hearing on the tax rate is not required. The fiscal year 2020-21 proposed budget was built around a tax rate of \$0.71. The breakdown of the tax rate is as follows:

Maintenance and operations = \$0.617
Interest and sinking = \$0.93

Staff recommends City Council approve the Ordinance establishing the tax rate of \$0.71 for fiscal year 2020-21.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve or deny an Ordinance establishing the tax rate of \$0.71 cents for fiscal year 2020-21.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2020-3801

AN ORDINANCE LEVYING TAXES UPON TAXABLE PROPERTY LOCATED WITHIN AND SUBJECT TO TAXATION IN THE CITY OF LA PORTE, TEXAS; MAKING APPROPRIATIONS FOR SUPPORT, MAINTENANCE, AND IMPROVEMENT OF THE CITY GOVERNMENT OF SAID CITY OF LA PORTE; FINDING THAT ALL REQUIRED NOTICES HAVE BEEN PUBLISHED AND ALL REQUIRED HEARINGS HELD; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE

Section 1. That there is hereby levied for the fiscal year beginning October 1, 2020, and ending September 30, 2021, on all real property situated and all personal property owned within the taxable limits of the said City of La Porte, on the first day of January 2020, except so much as may be exempt under the constitution and laws of the United States, this State, and the City of La Porte, the following taxes:

- (1) An Ad Valorem Tax of and at the rate of sixty-one and seven tenths cents (\$.617) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States for the current expenses for the support, maintenance, and improvement of the City Government of said City of La Porte; and
- (2) An Ad Valorem Tax of and at the rate of nine and three tenths cents (\$.093) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States, to pay current interest on and provide one year's sinking fund and to pay all of the Principal and Interest accruing on all outstanding general obligation bonds and certificates of obligation lawfully issued by the City of La Porte.

That this provides the sum of total Ad Valorem tax at the rate of seventy-one cents (\$.71) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States.

Section 2. All property upon which a rate of taxation is hereinabove levied shall be assessed on a ratio of one hundred percent (100%) of the estimated market value thereof.

Section 3. That the sums hereinafter accruing and collected from the hereinabove taxes so levied be and the same are hereby appropriated for the support, maintenance, and improvement of the City Government of the City of La Porte.

Section 4. The City Council officially finds, determines, recites and declares that all notices required by law have been published, and that a public hearing as required by law was duly called and held, and that all matters prerequisite to the establishment and levy of an ad valorem tax have been accomplished, all as required by the laws of the State of Texas, and the Home Rule Charter of the City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to be the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part

thereof, may be declared invalid.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required.

Section 8. This ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this, the _____ day of September, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

NOTICE ABOUT 2020 TAX RATES

Property Tax Rates in City of La Porte

This notice concerns the 2020 property tax rates for City of La Porte. This notice provides information about two tax rates. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. The voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate: \$0.715

This year's voter-approval tax rate: \$0.725

To see the full calculations, please visit ci.la-porte.tx.us for a copy of the Tax Rate Calculation Worksheets.

Unencumbered Fund Balances

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

Type of Fund	Balance
General Fund	59,073,139
Debt Fund	4,552,975

Current Year Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
General Obligation Refunding Bonds Series 2012	1,350,000	192,300	0	1,542,300
General Obligation Refunding Bonds Series 2014	920,000	126,300	0	1,046,300
Certificates of Obligation Series 2015	385,000	160,838	0	545,838
General Obligation Refunding Bonds Series 2016	0	94,050	0	94,050
Texas Water Development Board Loan 2017	500,000	116,491	0	616,491
General Obligation Refunding Bonds Series 2020	405,000	113,800	0	518,800
Total required for 2020 debt service				4,363,779
- Amount (if any) paid from funds listed in unencumbered funds				0
- Amount (if any) paid from other resources				0
- Excess collections last year				493,480
= Total to be paid from taxes in 2020				3,870,299
collect only 100.52% of its taxes in 2020				-20,022
=Total debt levy				3,850,277

This notice contains a summary of the no-new-revenue and voter-approval calculations as certified by Charlene Piggott, Tax Assessor-Collector on September 1, 2020.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020
Requested By: Clif. Meekins, Fire Marshal
Department: Fire Prevention
☐ Report ☐ Resolution ☒ Ordinance

Appropriation	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Letter from Fire Code Review Board, Current Ordinance, Proposed Ordinance, Current Local Amendments and Proposed Local Amendments

SUMMARY & RECOMMENDATION

Currently, the La Porte Fire Marshal's Office is utilizing the 2015 International Fire Code with local amendments which was adopted by City Council on January 12, 2015.

The Fire Marshal's Office staff has reviewed the 2018 International Fire Code and new code books, existing local amendments and proposed local amendments were provided to the Fire Code Review Board. The 2018 International Fire Code and local amendments were subsequently reviewed and discussed by the Board. At their September 9, 2020 meeting, the Board voted unanimously to recommend adoption of the 2018 International Fire Code with local amendments. Staff has attached the Board's recommendation memo.

The local amendments are changes to specific sections of the 2018 International Fire Code which are unique to the City of La Porte such as Violation Penalties, Fire Lane Marking, Fire Hydrant Installation and Plan Submittal Requirements. Although a new section has been added clarifying Open Burning, Recreational Fires & Portable Outdoor Fireplaces, the local amendments follow past practices such as Fire Lane Marking and Fire Hydrant Installation to maintain consistency for the La Porte Fire Department apparatus placement and specific requirements for licensed trade persons to be present for system acceptance inspections.

Significant Changes from the 2015 International Fire Code to the 2018 International Fire Code are:

- New provisions address hazards related to outdoor pallet storage, higher education laboratories, mobile food trucks and plant processing and extraction activities.
- Section 1103.5.1 Group A-2 was deleted by Local Amendments which required occupancies “Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of 300 or more, the fire area containing the Group A-2 occupancy shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1. This section would have required an existing business to install a Fire Sprinkler.
- A new chapter has been added to address issues related to Energy Systems.
- The requirements for gas detection systems have been revised throughout the code to be more reflective of industry practice.
- Required sprinkler protection of Group E occupancies has been expanded through the introduction of a new thresholds related to fire areas.
- Manual fire alarm systems in Group A occupancies are now required not only when the occupant load is 300 or more but also where the occupant load exceeds 100 above or below the lowest level of exit discharge.
- A manual fire alarm system and an automatic smoke detection system are no longer required in Group R-4 occupancies.
- New provisions require illumination for the exit discharge path of travel to the public way or to a safe dispersal area for all occupancies.
- Provisions have been added to address the hazards associated with outdoor assembly events, indoor trade shows and exhibitions.
- The fire watch requirements for construction and demolition activities have been enhanced.
- The provisions for the maintenance of fire and smoke protection features in Chapter 7 have been enhanced and reorganized.

The Fire Marshal will discuss the Significant Changes from the 2015 International Fire Code to the 2018 International Fire Code at the City Council meeting. For further explanation of the Significant Changes, please refer to the “2018 IFC Updates” that is included in the packet.

The implementation of this Code will not impose additional requirements on existing businesses and is in accordance with past practices. The ordinance was developed with a delayed implementation period to allow for notification to contractors as well as

updating of divisional handouts and the website. The ordinance shall be effective sixty (60) days after its passage and approval by City Council which would be November 27, 2020. Staff recommends the City Council adopt the 2018 International Fire Code with Local Amendments as recommended by the Fire Code Review Board.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss, and possibly approve/adopt or deny Ordinance 2020-3804 for the adoption of the 2018 International Fire Code (IFC) with Local Amendments as recommended by the Fire Code Review Board and the Fire Marshal's Office.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

September 9, 2020

To: La Porte City Council
Clif Meekins, Fire Marshal

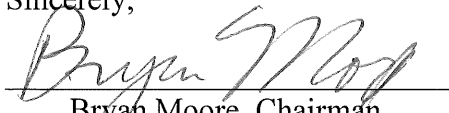
From: Bryan Moore, Fire Code Review Board Chairman

The Fire Code Review Board met on September 9, 2020 to review the 2018 International Fire Code at the request of the Fire Marshal. At this meeting, a vote was taken to support the City of La Porte's adoption of the 2018 International Fire Code.

The Fire Code Review Board members present and votes were recorded as follows;

	PRESENT		VOTE	
	YES	NO	YES	NO
Bryan Moore	✓		✓	
Champ Dunham	✓		✓	
Jeff Brown	✓		✓	
Andy Wilborn	✓		✓	
Mark Follis	✓		✓	
Jim Bridge	✓		✓	
Chris Pettis	✓		✓	
Paul Vige	✓		✓	
Lynn Green	✓		✓	

Sincerely,


Bryan Moore, Chairman
Fire Code Review Board

ORDINANCE NO. 2020-3804

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING CHAPTER 38 “FIRE PREVENTION AND PROTECTION,” ARTICLE III “STANDARDS”, DIVISION 1 “GENERALLY”, SECTION 38-101 “FIRE CODE ADOPTED” BY ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, TOGETHER WITH ALL LOCAL AMENDMENTS THERETO; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. Chapter 38, “Fire Prevention and Protection”, Article III “Standards”, Division 1 “Generally”, Section 38-101 “Fire Code Adopted”, of the Code of Ordinances of the City of La Porte, is hereby amended and shall hereafter read as follows, to-wit:

Section 38-101. Fire code adopted.

The International Fire Code, 2018 Edition, together with all local amendments thereto, which are all on file in the office of the city secretary, is hereby adopted as the fire code of the city, incorporated by reference in this article, and made a part hereof, as fully as if copied at length herein verbatim.”

Section 2. The City Council of the City of La Porte hereby adopts local amendments to the International Fire Code, 2018 Edition, which are on file in the office of the city secretary, and, are attached hereto as Exhibit A and incorporated by reference for all purposes.

Section 3. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 5. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 6. This ordinance shall be effective sixty (60) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this, the _____ day of _____, 2020.

CITY OF LA PORTE

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

ORDINANCE NO. 1388-~~E~~ 2020-3084

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING CHAPTER 38 "FIRE PREVENTION AND PROTECTION," ARTICLE III "STANDARDS", DIVISION 1 "GENERALLY", SECTION 38-101 "FIRE CODE ADOPTED" BY ADOPTING THE ~~2015~~ 2018 EDITION OF THE INTERNATIONAL FIRE CODE, TOGETHER WITH ALL LOCAL AMENDMENTS THERETO; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. Chapter 38, "Fire Prevention and Protection", Article III "Standards", Division 1 "Generally", Section 38-101 "Fire Code Adopted", of the Code of Ordinances of the City of La Porte, is hereby amended and shall hereafter read as follows, to-wit:

Section 38-101. Fire code adopted.

The International Fire Code, ~~2015~~ 2018 Edition, together with all local amendments thereto, which are all on file in the office of the city secretary, is hereby adopted as the fire code of the city, incorporated by reference in this article, and made a part hereof, as fully as if copied at length herein verbatim."

Section 2. The City Council of the City of La Porte hereby adopts local amendments to the International Fire Code, ~~2015~~ 2018 Edition, which are on file in the office of the city secretary, and, are attached hereto as Exhibit A and incorporated by reference for all purposes.

Section 3. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 5. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 6. This Ordinance shall be effective sixty (60) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the _____ day of _____, ~~2015~~ 2020.

CITY OF LA PORTE

By: _____
Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

2018 IFC Update

Based on the 2018 International Fire Code,[®] (IFC[®])

ICC LEARNING CENTER

The *International Fire Code*[®] (IFC[®]), establishes minimum regulations for fire safety.

This handout will identify important changes in the IFC from 2015 to 2018 edition. Participants will be presented with those changes that will most impact their use of the code when they adopt these I-Codes. The learner will receive an overview of the most important code changes.

Goal

Participants will be able to use this document to identify changes between the 2015 and 2018 IFC allowing them to apply these code requirements to design, plan submittals and/or inspection.

The lecture and activity format allows participants to discuss the changes, reasons for the changes, and answer knowledge review questions. Information presented will allow participants to apply these new code requirements to design, plan review, and/or inspection.

Objectives

Upon completion, participants will be better able to:

- Identify the most significant differences between the 2015 and the 2018 IFC.
- Explain the differences between the current and previous edition.
- Identify changes in organization and code requirements.
- Identify the applicability of design, plan review and inspection requirements.

Content

Chapters of the IFC included in this handout:

- | | | |
|--|---|--|
| • Chapter 3, General Requirements | • Chapter 12 Energy Systems | • Chapter 33, Fire Safety During Construction and Demolition |
| • Chapter 4, Emergency Planning and Preparedness | • Chapter 22, Combustible Dust-Producing Operations | • Chapter 38, Higher Education Laboratories |
| • Chapter 5, Fire Service Features | • Chapter 23, Motor Fuel-Dispensing Facilities and Repair Garages | • Chapter 39, Processing and Extraction Facilities |
| • Chapter 6, Building Services and Systems | • Chapter 24, Flammable Finishes | • Chapter 50, Hazardous Materials—General Provisions |
| • Chapter 7, Fire and Smoke Protection Features | • Chapter 28, Motor Fuel-Dispensing Facilities and Repair Garages | • Chapter 51, Aerosols |
| • Chapter 8, Interior Finish, Decorative Materials and Furnishings | • Chapter 31, Tents, Temporary Special Event Structures and Other Membrane Structures | • Chapter 53, Compressed Gases |
| • Chapter 9, Fire Protection and Life Safety Systems | • Chapter 32, High-Piled Combustible Storage | • Chapter 57, Flammable and Combustible Liquids |
| • Chapter 10, Means of Egress | | • Chapter 61, Liquefied Petroleum Gases |
| • Chapter 11, Construction Requirements for Existing Buildings | | • Appendix E, Hazard Categories |

2018 IFC Chapter 3: General Requirements			
Code Section		Section Title	Description of Change
2018	2015		
Section 314 Modification	Section 314	Indoor Displays	This section is revised to clarify it applies to both liquid-fueled vehicles and gaseous-fueled vehicles. Additionally, it has been modified to allow the Fire Code Official the ability to determine the best method of safeguarding the vehicle regarding the battery and electrical system.
Section 315.3.1 Modification	Section 315.3.1	Ceiling Clearance for Indoor Storages	Exceptions have been added which allow an increase in the height of storage along walls in sprinklered and nonsprinklered buildings.
315.7 Addition		Outdoor Pallet Storage	Requirements are added to the code to height limitation and separation to buildings and property lines for the outdoor storage of idle pallets constructed of wood or plastic. See also Significant Change to Section 2810 for pallet storage at pallet recycling and manufacturing facilities.

2018 IFC Chapter 4: Emergency Planning and Preparedness			
Code Section		Section Title	Description of Change
2018	2015		
403.12.3 Modification		Crowd Managers	The threshold for crowd managers dropped from 1,000 to 500 people for certain events.
404.2.3 Addition		Lockdown Plans	Updates and prescribes details for facility lockdown plans.

2018 IFC Chapter 5: Fire Service Features			
Code Section		Section Title	Description of Change
2018	2015		
510 Modification		Emergency Responder Radio Coverage	Requirements for emergency responder radio coverage have been revised to address industry and equipment enhancements with a new reference to NFPA 1221.

2018 IFC Chapter 6: Building Services and Systems																				
Code Section		Section Title	Description of Change																	
2018	2015																			
603.3 Modification	603.3	Fuel-fired Appliances	<p>Fuel oil storage allowances in Section 603 have been revised to clarify applicability to internal combustion engines, such as generators and fire pumps. Fuel oil storage is increased to 1,320 gallons if the building is sprinklered and the tank is listed to UL 142.</p> <p>TABLE 603-1 Maximum Capacity of Fuel Oil Based on Type of Tank and Automatic Sprinkler System Design</p> <table><tr><th>TANK DESIGN</th><th>NONSPRINKLERED BUILDING</th><th>FIRE SPRINKLERS PROVIDED IN THE ROOM</th><th>FIRE SPRINKLERS PROVIDED IN THE BUILDING</th></tr><tr><td>UL 80</td><td>660 gallons</td><td>660 gallons</td><td>660 gallons</td></tr><tr><td>UL 142</td><td>660 gallons</td><td>660 gallons</td><td>1,320 gallons</td></tr><tr><td>UL 2085</td><td>660 gallons</td><td>3,000 gallons</td><td>3,000 gallons</td></tr></table>		TANK DESIGN	NONSPRINKLERED BUILDING	FIRE SPRINKLERS PROVIDED IN THE ROOM	FIRE SPRINKLERS PROVIDED IN THE BUILDING	UL 80	660 gallons	660 gallons	660 gallons	UL 142	660 gallons	660 gallons	1,320 gallons	UL 2085	660 gallons	3,000 gallons	3,000 gallons
TANK DESIGN	NONSPRINKLERED BUILDING	FIRE SPRINKLERS PROVIDED IN THE ROOM	FIRE SPRINKLERS PROVIDED IN THE BUILDING																	
UL 80	660 gallons	660 gallons	660 gallons																	
UL 142	660 gallons	660 gallons	1,320 gallons																	
UL 2085	660 gallons	3,000 gallons	3,000 gallons																	
605.13 Addition		Refrigerants with Lower Flammability Hazards	Adds requirements regarding safety concerns for lower flammability refrigerant gases.																	
608.3 Modification	608.3	Non-metallic Cooking Oil Storage Tanks	Provide listing and capacity requirements for cooking oil storage.																	

2018 IFC Chapter 8: Interior Finish, Decorative Materials and Furnishings				
Code Section		Section Title	Description of Change	
2018	2015			
807.1 Modification	807.1	Combustible Decorative Materials	The limitations on decorative combustible materials are clarified as to where they apply.	
807.4 Modification	807.4	Combustible Decorative Materials	The limitations on decorative combustible materials are clarified as to where they apply.	

2018 IFC Chapter 9: Fire Protection and Live Safety Systems			
Code Section		Section Title	Description of Change
2018	2015		
901.4.6 Addition		Fire Pump and Fire Sprinkler Riser Rooms	Additional requirements have been added for automatic sprinkler system riser rooms and fire pump rooms.
901.6.2 Addition		Integrated Fire Protection System Testing	Test criteria has been added to the code with a reference to NFPA 4 to ensure that where multiple fire protection systems or life safety systems are integrated, that the acceptance process and subsequent testing must evaluate the all of the integrated systems as a whole.
901.8.2 Modification	901.8.2	Removal of Occupant Use Hoselines	Authorizes code official to allow the removal occupant use hoselines.
903.2.1 Clarification	903.2.1	Sprinklers in Group A Occupancies	Clarifies the requirements for fire sprinkler protection in Group A occupancies.
903.2.3 Modification	903.2.3	Sprinklers in Group E Occupancies	Provides occupant load threshold for automatic sprinkler system requirements in Group E occupancies.
903.3.1.1.2 Modification	903.3.1.1.2	Sprinklers in Bathrooms in Group R-4 Occupancies	Removes fire sprinklers requirements from small bathrooms in Group R-4 occupancies.
903.3.1.2.1 Modification	903.3.1.2.1	Sprinklers Beneath Balconies	Correlates automatic sprinkler system requirements in Chapter 9 with Chapter 7 for exterior balconies of Group R occupancies.
903.3.1.2.3 Modification	903.3.1.2.3	Attics	Provides fire protection options for attics in multi-family occupancies
903.3.3 Modification	903.3.3	Sprinkler Obstructions	The code now directs the user to the sprinkler design standard to address sprinkler obstructions.
904.12 Modification	904.12	Commercial Cooking Operations	Directs users to NFPA standards to address sprinkler obstructions.
904.13 Modification	904.13	Domestic Cooking in Institutional Occupancies	Requires automatic fire-extinguishing system to protect domestic cooking appliances in care facilities.

2018 IFC Chapter 9: Fire Protection and Live Safety Systems, Continued			
Code Section		Section Title	Description of Change
2018	2015		
904.14 Modification	904.14	Aerosol Fire-extinguishing System Maintenance	Requires automatic fire suppression in domestic cooking systems in care facilities.
905.3.1 Modification	905.3.1	Class III Standpipes	Establishes standpipe requirements based on stories and addresses standpipes in Groups B and E occupancies.
905.4 Modification	905.4	Class I Standpipe Hose Connections	Allows a modification of hose connection locations for Class I standpipes serving open stairways.
905.11 Modification	905.11	Locking Caps on Standpipe Outlets	This revision authorizes the code official to require locking caps on dry standpipe hose connection outlets.
906.1 Modification	906.1	Portable Fire Extinguishers	Provides schools options for fire extinguisher placement.
907.1.2 Modification	907.1.2	Fire Alarm Construction Documents	Aligns requirements for fire alarm plans and documentation requirements with NFPA 72.
907.2.1 Modification	907.2.1	Fire Alarms in Group A Occupancies	A new fire alarm threshold has been added for Group A occupancies where an occupant load of 100 or more is located on a level other than the level of exit discharge.
907.2.10 Deletion	907.2.10	Group R-4 Fire Alarm System	Fire alarm systems are no longer required in Group R-4 occupancies.
907.5.2.2.4 Modification	907.5.2.2.4	Emergency Voice/Alarm Communication System Captions	Requires automatic fire suppression in domestic cooking systems in care facilities.
910.5 Modification	910.5	Maintenance of Smoke and Heat Removal Equipment	Maintenance and testing frequencies for smoke and heat vents and mechanical smoke removal are specified in the code.
916 Modification	916	Gas Detection Systems	Requirements for gas detection systems are clarified and consolidated in a new Section 916.

2018 IFC Chapter 10: Means of Egress			
Code Section		Section Title	Description of Change
2018	2015		
1004.8 Modification	1004.8	Occupant Load Calculation in Concentrated Business Use Area	The method of calculating occupant load in business areas is revised, which allows for larger occupant loads.
1006.2.1, Table 1006.2.1 Modification	1006.2.1, Table 1006.2.1	1006.2.1, Table 1006.2.1 Spaces with One Exit or Exit Access Doorway	Determination of cumulative occupant loads is clarified and correlated with other code requirements
1006.2.2.6, Table 1006.2.1, Table 1017.2 Addition		Groups R-3 and R-4 Protected with NFPA 13D Sprinkler System	Exit access travel distances are provided for Groups R-3 and R-4 when sprinklered with NFPA 13D sprinkler systems.
1006.3, 1006.3.1 Modification	1006.3, 1006.3.1	Exits on Adjacent Stories	Determining egress requirements has been clarified when the occupants travel to an adjacent story to reach the exit.
1008.2.3 Addition		Illumination of the Exit Discharge	Illumination of exit discharge can now terminate at a safe dispersal area.
1008.3.5, 1008.2.2 Modification	1008.3.5, 1008.2.2	Emergency Illumination in Group I-2	Emergency lighting must meet minimum illumination levels even when one lamp fails in a single luminaire.
1009.7.2 Modification	1009.7.2	Protection of Exterior Areas of Assisted Rescue	The 1-hour fire-resistance-rated separation between an exterior of assisted rescue and the building is not required if the building is protected with an automatic sprinkler system designed to NFPA 13 or 13R.
1010.1.1 Clarification	1010.1.1	Size of Doors	The requirements for the door size are revised to correlate with ICC A117.1.
1010.1.4.4, 1010.1.4.4.1 Modification	1010.1.4.4, 1010.1.4.4.1	Locking Arrangements in Educational Occupancies	Guidance is provided to allow enhanced security measures yet still meet egress requirements on classroom doors.
1010.1.9.8, 1010.1.9.8.1 Modification	1010.1.9.8, 1010.1.9.8.1	Delayed Egress	Guidance is provided to allow enhanced security measures yet still meet egress requirements on classroom doors.
1010.1.9.9, 1010.1.9.10 Clarification	1010.1.9.9, 1010.1.9.10	Electrically Locked Egress Doors	Criteria for electrically locked egress doors have been clarified and correlated.
1010.1.9.12 Modification	1010.1.9.12	Locks on Stairway Doors	The limitation is removed which prohibited locking doors on the stairway side when the stairway was more than four stories, but less than a high-rise.

2018 IFC Chapter 10: Means of Egress, Continued			
Code Section		Section Title	Description of Change
2018	2015		
1010.1.10 Modification	1010.1.10	Panic Hardware and Fire Exit Hardware	Sensor release of electrically locked doors is now allowed on egress doors in Groups A and E. Also, the section is clarified to state that panic hardware or fire exit hardware are only required on swinging doors.
1010.3, 1010.3.1, 1010.3.1.1, 1010.3.2, 1010.3.3, 1010.3.4 Modification	1010.3, 1010.3.1, 1010.3.1.1, 1010.3.2, 1010.3.3, 1010.3.4	Turnstiles	This new section allows security turnstiles, or similar barriers, in the means of egress path.
1011.6 Clarification	1011.6	Stairway Landings	The method of determining the required width and depth of a stairway landing is clarified.
1013.2 Modification	1013.2	Floor Level Exit Signs in Group R-1	The location of low-level exit signs can now be 18 inches above the floor.
1015.6, 1015.7 Modification	1015.6, 1015.7	Fall Arrest for Rooftop Equipment	The specific criteria in the code on fall arrest systems are removed and the ANSI/ASSE Z395.1 standard now governs the installation.
1017.3, 202 Clarification	1017.3, 202	Common Path of Egress Travel	Common path of egress travel must be applied to each room or space on every story.
1023.3.1 Modification	1023.3.1	Stairway Extension	Fire-resistance-rated separation is not required between an interior exit stairway and exit passageways if stairway pressurization is provided.
1023.5, 1024.6 Modification	1023.5, 1024.6	Exit Stairway and Exit Passageway Penetrations	Security system and two-way communication system components are allowed to penetrate the fire-resistant rated enclosure of exit passageways and interior exit stairways and ramps.
1025.1 Modification	1025.1	Luminous Egress Path Marking in Group I Occupancies	Luminous egress path marking is no longer required in high-rise buildings classified as Groups I-2, I-3, and I-4.
1026.4, 1026.4.1 Modification	1026.4, 1026.4.1	Refuge Areas for Horizontal Exits	Guidance is provided to allow enhanced security measures yet still meet egress requirements on classroom doors.
1029.6, 1029.6.3, 1029.7, 202 Modification	1029.6, 1029.6.3, 1029.7, 202	Open-air Assembly Seating	A new term and definition is added for open-air assembly seating.
1029.9.1 Modification	1029.9.1	Minimum Aisle Width	Minimum aisle widths are clarified with a reference added for minimum widths for accessible routes.

2018 IFC Chapter 10: Means of Egress, Continued			
Code Section		Section Title	Description of Change
2018	2015		
1030.1 Modification	1030.1	Emergency Escape and Rescue Openings	Emergency escape and rescue openings are required in Groups R-3 and R 4, and Group R-2 provided with only one means of egress from a story. Also, it is possible to eliminate some, or all, emergency escape and rescue openings from a sprinklered basement.
1030.1.1 Addition		Operation of Emergency Escape and Rescue Openings	Fall prevention devices are allowed on emergency escape and rescue openings provided they comply with ASTM F2090.
1031.1, 1031.10.1, 1031.10.2 Modification	1031.1, 1031.10.1, 1031.10.2	Inspection and Testing of Emergency Egress Lighting	Inspection and testing requirements for emergency egress lighting are relocated into the Chapter 10 Means of Egress and revised to allow self-diagnostics.
1031.2.2 Addition		Locking Arrangements in Existing Educational Occupancies	Guidance is provided to allow enhanced security measures yet still meet egress requirements on classroom doors.
1031.4 Modification	1031.4	Exit Signs in Existing Buildings	The application of exit sign requirements in existing buildings has been clarified for both installation and maintenance.

2018 IFC Chapter 11: Construction Requirements for Existing Buildings			
Code Section		Section Title	Description of Change
2018	2015		
1103.5.1 Addition		Fire Sprinklers in Existing Group A-2 Occupancies	A section has been added to Chapter 11 which requires the retrofit installation of a fire sprinkler system in existing Group A-2 occupancies where alcoholic beverages are consumed if the occupant load is 300 or more.
1103.9 Modification	1103.9	Carbon Monoxide Alarms in Existing Buildings	Carbon monoxide alarms are no longer required to be retroactively installed in existing Groups I-1, I-2, I-4, and R based on occupancy classification. The retroactive installation of carbon monoxide alarms is only required in existing sleeping rooms and dwelling units.
1104.16.2 Modification	1104.16.2	Wall Openings Adjacent to Fire Escapes	Door and window openings within 10 feet of a fire escape must be protected with ¾-hour opening protectives unless the building is sprinklered.
1105.5.4 Addition		Fire-protection-rated Doors in Existing Group I-2	Fire protection rated doors in existing Group I-2 occupancies have three options for automatic closing operations.

2018 IFC Chapter 12: Energy Systems			
Code Section		Section Title	Description of Change
2018	2015		
Chapter 12 Addition		Energy Systems	This chapter is new.
Section 1204.5 Addition		Rapid Shutdown for Solar Photovoltaic Power Systems	Rapid shutdown is required on solar photovoltaic systems to reduce the shock hazard to emergency responders.
1206.2 Modification	1206.2	Stationary Storage Battery Systems	This revision moves the stationary battery storage system requirements from Section 608 to Section 1206.2 and includes new battery technologies and required safety features.

2018 IFC Chapter 22: Combustible Dust-Producing Operations			
Code Section		Section Title	Description of Change
2018	2015		
Chapter 22 Modification		Combustible Dust	Reference to the new NFPA 652, "Standard on the Fundamentals of Combustible Dust", is added to provide guidance and criteria when evaluating combustible dust hazards.

2018 IFC Chapter 23: Motor Fuel-Dispensing Facilities and Repair Garages			
Code Section		Section Title	Description of Change
2018	2015		
2303.2.1 Addition		Height of Emergency Disconnect Switch	This new section provides specific height limitations for emergency disconnect switches for fuel dispensing operations.
2306.7.3.1 Addition		Protection from Vehicle Impact	The fire code official has the authority to require additional vehicle impact protection at fuel dispensing facilities.
2309.6, 2309.6.1 Modification	2309.6, 2309.6.1	Defueling of Hydrogen Fueled Vehicles	The requirements for repairing vehicles fueled by compressed or liquefied compressed gas have been updated to address current technologies and processes.
2311.6 Addition	2311.6	Repair of Vehicles Fueled by CNG and LNG	The requirements for repairing vehicles fueled by compressed or liquefied compressed gas have been updated to address current technologies and processes.
2311.8 Modification	2311.8	Repair of Vehicles Fueled by Lighter-than-air Fuels	The requirements for repairing vehicles fueled by compressed or liquefied compressed gas have been updated to address current technologies and processes.

2018 IFC Chapter 24: Flammable Finishes			
Code Section		Section Title	Description of Change
2018	2015		
2403.2.1.3 Modification	2403.2.1.3	Classified Electrical Areas Around Spray Booths	The size of the classified area around spray booth openings is reduced to 3 feet.
2404.2, 2404.3.1, 2404.3.1.1, 202, 914.9 Modification	2404.2, 2404.3.1, 2404.3.1.1, 202, 914.9	Spray Rooms and Spray Booths	Requirements for spray booths and spray operations are correlated between the IFC and IBC.

2018 IFC Chapter 28: Motor Fuel-Dispensing Facilities and Repair Garages			
Code Section		Section Title	Description of Change
2018	2015		
2810 Addition		Outdoor Storage of Pallets at Pallet Manufacturing and Recycling Facilities	This new section adds criteria for outdoor pallet storage at pallet manufacturing facilities and pallet recycling facilities. It provides specific height limits and separation to property lines and buildings, but also allows for the distances to be modified based on providing additional fire protection features.

2018 IFC Chapter 31: Tents, Temporary Special Event Structures and Other Membrane Structures			
Code Section		Section Title	Description of Change
2018	2015		
Chapter 31 Clarification		Umbrella Structures	A new definition is added for umbrella structures which results in regulation of umbrella structures when they exceed 400 square feet.
3103.3.1 Addition		Tents and Membrane Structures Used as Special Amusement Buildings	Special amusement buildings located in temporary tents are required to be equipped with an automatic sprinkler system.
3103.6, 3103.9, 3103.9.1, 3103.9.2, 3103.9.3 Modification	3103.6, 3103.9, 3103.9.1, 3103.9.2, 3103.9.3	Structural Stability of Tents	Temporary tents and membrane structures are required to provide construction documents which address their structural stability and load carrying capacity. Larger tents and membrane structures have been added to the list of temporary facilities which must comply.
3104.2 Addition		Fabrics for Tents and Membrane Structures	The application of testing criteria for flame spread of tent and membrane structures has been clarified.
3105, 202, 105.6.47, 105.7.22 Addition		Temporary Special Event Structures	The requirements for temporary stage structures are expanded to include all temporary structures greater than 400 square feet when used at special events.
Section 3106 Addition		Outdoor Assembly Events	This section adds requirements specific to outdoor public gatherings and improves the correlation of requirements in the IBC and IFC.
3107.3, 3107.13.1, 3107.13.2, 3107.13.3 Modification		LP-gas Containers and Tanks Adjacent to Tents and Membrane Structures	Requirements for the use and separation of LPgas containers in and around tents and membrane structures have been revised.

2018 IFC Chapter 32: High-Piled Combustible Storage			
Code Section		Section Title	Description of Change
2018	2015		
Modification		Chapter 32 High-piled Combustible Storage	The requirements in the chapter have been updated to correlate with current NFPA 13 requirements and recent FM Global fire tests.

2018 IFC Chapter 33: Fire Safety During Construction and Demolition			
Code Section		Section Title	Description of Change
2018	2015		
3304.5, 3308, 3309.1 Modification	3304.5, 3308, 3309.1	Fire Watch During Construction and Demolition	Criteria for requiring fire watch has been added to the code along with clarification to the functions and duties of the fire watch personnel.

2018 IFC Chapter 38: Higher Education Laboratories			
Code Section		Section Title	Description of Change
2018	2015		
Chapter 38 Addition		Outdoor Assembly Events	A new chapter has been added to the IFC to specifically regulate college and university laboratories. Correlating sections have been added to a new Section 427 in the IBC.

2018 IFC Chapter 39: Processing and Extraction Facilities			
Code Section		Section Title	Description of Change
2018	2015		
Chapter 39 Addition		Plant Processing and Oil Extraction Facilities	A new chapter has been added to the IFC to specifically regulate the process of extracting oils from plant material.

2018 IFC Chapter 50: Hazardous Materials—General Provisions			
Code Section		Section Title	Description of Change
2018	2015		
Table 5003.1.1, Section 202 Modification	Table 5003.1.1, Section 202	Consumer Fireworks	Addresses the explosive nature of Division 1.4G explosives and removes the 100% increase credit for sprinklers where these items are stored.
Table 5003.1.1(1), Table 5003.11.1, Section 6303.1.1.2 Modification	Table 5003.1.1(1), Table 5003.11.1, Section 6303.1.1.2	Maximum Allowable Quantity for Class 3 Oxidizers	The maximum allowable quantity for Class 3 oxidizers is increased by about 10 percent in control areas and Groups M and S occupancies.
5003.8.3.4 Modification	5003.8.3.4	Control Area Construction	Includes Type IV construction in control area fire resistance rating requirements.
5005.1.12 Modification	5005.1.12	Protection of Hazardous Materials Piping Systems	Requirements for leak detection and emergency shutoff for high hazard gases and liquids only applies when the maximum allowable quantity per control area is exceeded.

2018 IFC Chapter 51: Aerosols			
Code Section		Section Title	Description of Change
2018	2015		
5103.2, 5103.2.1, 5103.2.3, 5104.1.2, 5104.2.2 Modification	5103.2, 5103.2.1, 5103.2.3, 5104.1.2, 5104.2.2	Aerosol Products in Plastic Containers	Limitations on aerosol products in plastic containers is revised and the use of Plastic Aerosol X products is prohibited in higher life hazard occupancies.
5104.8, 5140.8.1, 5104.8.2, 5103.2.2, 5104.3.3, 5106.2.2 Addition		Aerosol Cooking Spray Products	Specific fire protection requirements are added to address aerosol cooking spray products.

2018 IFC Chapter 53: Compressed Gases			
Code Section		Section Title	Description of Change
2018	2015		
5306.1, 5306.2, 5306.2.1, 5306.2.2, 5306.2 Modification	5306.1, 5306.2, 5306.2.1, 5306.2.2, 5306.2	Medical Gas Storage	Requirements for construction and ventilation of interior medical gas rooms and gas cabinets are revised.
5307.1, 5307.3, 5307.3.1, 5307.3.2 Modification	5307.1, 5307.3, 5307.3.1, 5307.3.2	Liquid Carbon Dioxide Systems for Beverage Dispensing	Requirements for liquefied CO2 in beverage dispensing applications have been correlated with requirements for gas detection systems.
5307.4, 5307.4.1, 5307.4.2, 5307.4.3, 5307.4.4, 5307.4.5, 5307.4.6, 5307.4.7 Addition		Carbon Dioxide Enrichment Systems	Carbon dioxide enrichment systems area regulated by the Fire Code when the system contains more than 100 pounds of CO2, or when the refill connection is remote from the tank or vessel.

2018 IFC Chapter 57: Mobile Fueling Operations			
Code Section		Section Title	Description of Change
2018	2015		
5707 Addition		Mobile Fueling Operations	On-demand mobile fueling is allowed to occur at approved locations and under the control of a permit issued by the fire code official.

2018 IFC Chapter 61: Liquefied Petroleum Gases			
Code Section		Section Title	Description of Change
2018	2015		
Table 6104.3 Modification	Table 6104.3	Location of LP-gas Containers	New Footnote g specifies separations between above-ground LP-gas containers and public ways.

2018 IFC Appendix E Hazard Categories			
Code Section		Section Title	Description of Change
2018	2015		
E102.7.1 Modification	E102.7.1	Hazard Classification of Oxidizers	This change revised the oxidizer classification of sodium dichloro-s-triazinetriane anhydrous (sodium dichloroisocyanurate anhydrous).



INTERNATIONAL
CODE
COUNCIL®

2018 International Fire Code
Significant Changes

City of La Porte, TX
September 9, 2020

Introductions



- City of La Porte Fire Code Review Board
 - Clif Meekins, Fire Marshal
 - Bryan Moore, Chairman
- International Code Council
 - Karl Fippinger, Vice President
 - Beth Tubbs, Senior Staff Engineer
 - Kelly Sadler, Regional Manager

2018 I-Codes



I-Codes Adoption



- 50 States + District of Columbia
 - U.S. Territories
 - Federal Agencies
- Mexico
- Caribbean Region
- Central America
- Eastern Europe
- Middle East



FEMA & Code Application



FEMA

FEMA Policy 204-078-2 “Disaster Risk Reduction Minimum Codes and Standards”

- Requires minimum standards for all FEMA funded construction to I-Codes
- Aimed at post-disaster recovery
- Will not fund rebuilding without compliance
- Full details: [FEMA Policy 204-078-2](#)

Compatibility with I-Codes



The 2018 edition of the International Fire Code (IFC) is fully compatible with all of the *International Codes* (I-Codes) published by the International Code Council (ICC)



Fully Coordinated with IBC



IFC requirements are directly correlated to the chapters containing parallel requirements in the International Building Code (IBC)



IFC Chapter	Subject
7	Fire and smoke protection features
8	Interior finish, decorative materials and furnishings
9	Fire protection and life safety systems
10	Means of egress
33	Fire safety during construction and demolition

2018 IFC Significant Changes



Chapter 9: Fire Protection and Life Safety Systems

- Requires automatic fire-extinguishing systems to protect domestic cooking appliances in care facilities
- Provides new section on gas detection
- Mass notification required for universities



2018 IFC Significant Changes



Adds Chapter 12: Energy Storage Systems

- Addresses current energy systems found in the code
 - Section 1203 - Emergency and standby power systems
 - Section 1204 - Solar photovoltaic power systems
 - Section 1205 - Stationary fuel cell power systems
 - Section 1206 - Electrical energy storage systems



2018 IFC Significant Changes



Chapter 28: Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities

- Adds Section 2810
- Criteria for outdoor pallet storage at pallet manufacturing facilities and pallet recycling facilities
- Includes height limits and separation distances



2018 IFC Significant Changes



Chapter 57: Mobile Fueling Operations

- Adds Section 5707
- Allows on-demand mobile fueling to occur at approved locations and under the control of a permit issued by the fire code official

2018 IFC Significant Changes



Other sections of interest:

- Adds Section 605.13 - Refrigerants with Lower Flammability Hazards
- Modifies Section 901.8.2 - Authorizes code official to allow removal of occupant use hoselines
- Adds 3304.5.1 Fire watch where required during non-working hours over 40 feet of construction

City of La Porte Amendments



- Analysis of 2015 amendments for 2018
 - There are no text or table changes in the 2018 IFC that directly affect the City of La Porte's 2015 local amendments.
 - Section 903.2.3 - Sprinklers in Group E Occupancies has been modified
 - Now includes occupant load threshold for automatic sprinkler systems in Group E occupancies

Wrap-Up



Questions and Answers

Thank you!



International Code Council

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LOCAL AMENDMENTS TO THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE

The following represents local amendments to the 2018 Edition of the International Fire Code, adopted by the City Council of the City of La Porte on September, 28, 2020; in Ordinance 2020-3804. References are to additions, deletions, amendments, or replacement of 2018 Edition of the International Fire Code sections. Section numbers correspond to the numbering in the 2018 Edition of the International Fire Code.

CHAPTER 1 - ADMINISTRATION

110.4 Violation penalties.

Amend by deleting this section and adding a new paragraph.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, shall be guilty of a violation and punishable by a fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

112.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

CHAPTER 3 - GENERAL REQUIREMENTS

SECTION 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces.

Amend by deleting this section and adding a new paragraph.

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with the following Sections.

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land on which the fire is to be kindled.

307.3 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous and the following is prohibited at all times from being burned in the City of La Porte.

307.3.1 Yard Waste (defined as, but not limited to: leaves/pine straw, rakings, shrub trimmings, grass clippings, palm fronds, and/or brush).

307.3.2 Tree and Tree Cutting Debris (defined as, but not limited to: trees, Christmas trees, tree stumps, and/or tree limbs).

307.3.3 Land Clearing Debris (defined as, but not limited to: uprooted or cleared vegetation in connection with construction for buildings and rights-of-way; land development; or mineral operations).

307.3.4 Bonfires are not permitted without a permit from the fire code official in accordance with Section 105.6 prior to kindling.

307.4 Open Burning not requiring a Permit. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous. The following is permitted to be burned in the City of La Porte without a permit from the fire code official.

307.4.1 Recreational fires. Recreational fires shall not be conducted within 15 feet of a structure or combustible material. Conditions that could cause a fire to spread within 15 feet of a structure shall be eliminated prior to ignition.

307.4.2 Portable outdoor fireplaces and Fire Pits. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

307.4.3 Recreational and Portable outdoor fireplace size. The fire pit area shall not exceed a total of 3 feet in diameter and 2 feet in height and all burning material and flame is to be contained inside of the fire pit area.

307.5 Authorization. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.6 Extinguishment authority. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.

307.6.1 The burning must not cause a nuisance to surrounding people, properties and / or roadways. Any and all Fires used for Recreation, Ceremonies, Cooking and / or Warmth shall be promptly and completely extinguished once notified to do so by any Fire Code Official, Police Officer, Code Enforcement Officer and / or Fire Fighter. Said fires shall remain extinguished for no less than 24-hours.

307.7 Location. The location for open burning shall be not less than 15 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 15 feet of any structure.

307.8 Attendance. Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended by a responsible, non-impaired adult until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

CHAPTER 5 - FIRE SERVICE FEATURES

503.3 Marking

Amend paragraph 503.3 Marking, to read as follows:

- A. The Fire Marshal of the City of La Porte or designee is hereby authorized to designated fire lanes/fire zones on the property of shopping centers, nursing homes, hospitals, apartment complexes, town home complexes, schools and any other locations that he has deemed necessary to have fire lanes/fire zones.
- B. The designation by the Fire Marshal of such lanes/fire zones shall never be held to make the City of La Porte responsible for the maintenance of such lanes on private property, but the owner of such property shall continue to be responsible for the maintenance for such areas.

- C. Upon designation of such fire lane/fire zones pursuant to this code, the Fire Marshal shall give notice of such designation to the owner of such property, directing the owner to cause signs to be posted and/or curbs to be painted and/or stenciled.
- D. The required signs and/or painted curb shall read "FIRE LANE" or, "FIRE ZONE". The letter size should be not less than 3" in height and 1/2" in width.
- E. The sign shall be a metal sign of standard size, with a weather resistant white background with red letters. The mounting and height information can be obtained from the City of La Porte Public Works and/or City of La Porte Police Department. The sign shall be installed not less than every 20 feet.
- F. The curb shall be painted "Red" in color and/or the stenciled information, "FIRE ZONE" and/or "FIRE LANE" shall be stenciled in "White" colored letters. The stencil should not be less than 20 feet, apart on the curb.
- G. It is hereby declared to be unlawful to obstruct in any manner, including parking or standing any attended or unattended vehicle in any fire lane/fire zone as defined hereof, where the signs have been erected or the curbs have been painted and stenciled including pre-existing fire lane/fire zones with visibly erected signs and/or stenciled curbs reading "FIRE LANE" or "FIRE ZONE"

EXCEPTIONS:

- 1) Any authorized emergency vehicle conducting official emergency business.
- 2) Any marked vehicle of the United States Postal Service officially dispatching mail or any marked vehicle of a Parcel Post Delivery Service officially dispatching Parcel Post.
- 3) Any armored vehicle officially dispatching or picking up currency.

503.7 Violations

Amend by adding a new subsection 503.7 to read as follows:

It is hereby declared to be unlawful for any person, without lawful authority of the Fire Marshal to attempt to or in fact alter, deface, injure, knock down, or remove any sign and/or painted curb designating a fire lane/fire zone that has been erected and/or stenciled under the term of this code.

The Fire Marshal, any duly authorized representative, and/or any peace officer of the State of Texas may issue a summons or notice to appear in answer to a charge of any violation of this code. Such summons shall be issued on an official form (ticket book) acceptable to the City of La Porte.

Any person found guilty of a violation of this code shall, upon conviction, be subject to a fine ranging from one dollar to two thousand dollars, as set by the City of La Porte Municipal Court. Each day the violation continues shall constitute a separate offense.

No owner, manager or person in charge of any premises served by a required fire lane/fire zone shall abandon or close any such fire lane/fire zone without permission of the Fire Marshal or designee.

507.5.1 Where Required

Amend by deleting the existing paragraph and replace with the following paragraph:

All required water mains and fire hydrants shall be installed as follows:

Residential area fire hydrants shall be installed on a 6-inch or larger approved water main and placed so that no building is over 500 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

EXCEPTIONS:

A. When in the opinion of the fire chief and fire marshal a water main and/or fire hydrant is not necessary due to the existence of built-in fire protection system(s); or

B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in the vicinity, consistent with the terms of this code.

Commercial and industrial area fire hydrants shall be installed on an 8-inch or larger approved water main and shall be placed so that no part of any building is over 300 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor and shall follow the Fire Apparatus route.

EXCEPTIONS:

A. When in the opinion of the Fire Chief and Fire Marshal a water main and/or the fire hydrant is not necessary due to the existence of built-in fire protection system(s); or

B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in that vicinity, consistent with the terms of this code.

CHAPTER 6 - BUILDING SERVICES AND SYSTEMS

Amend by adding new subsection

607.2.5 Plan Submittal Requirements

Pre-Engineered Systems - Plan submittal shall comply with the following requirements for Pre-Engineered Systems;

- a. Be planned by a Type PL licensee or a Texas Registered Professional Engineer. All shop drawings must bear the signature of a Type PL licensee, his license number, and the certificate-of-registration number of the registered firm or a Texas Registered Professional Engineer seal.

- ❖ If a PE is used, the PE shall provide written documentation to this office as to his knowledge that he has reviewed the Pre-Engineered System and that the system meets all applicable City of La Porte Fire Codes and any applicable State Codes.
- b. Designer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Design of said equipment and are current with the certification.
- c. Installer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Installation of said equipment and are current with the certification.

CHAPTER 9 - FIRE PROTECTION SYSTEMS

901 General

Amend by adding new subsections

901.5.2 Required attendance for Installation acceptance testing.

A person who is employed by the Registered Firm to which the plans have been approved and issued too and holds a current Responsible Managing Employee (RME) License by the Texas State Fire Marshal's Office shall be onsite during all phases of installation and during the Fire Marshal's inspection. The onsite RME shall only operate under the appropriate "Type" of RME License issued by the State.

901.5.3 Required Documentation for Installation acceptance testing.

The Fire Marshal's Office approved set of Fire Sprinkler Plans, manufacture's product data sheets on all equipment being installed, and the installation permit are to be on site for all Fire Marshal's Office inspections. The On-Site Installer shall have a current State license, on his person, while on the job site.

901.5.3 Required Actions for Installation acceptance testing.

The fire sprinkler piping shall not be covered up prior to the Fire Marshal's Office visual inspections of the piping. If the piping is covered, and the inspectors cannot inspect as is required by Fire Code, all of the obstructions will be required to be removed.

903.2.3 Group E.

Delete paragraph and substitute with the following:

An automatic sprinkler system must be provided throughout all Group E occupancies. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.

903.2.6 Group I.

Delete paragraph and substitute with the following:

An automatic sprinkler system must be provided throughout all Institutional Group occupancies. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with I occupancies having an occupant load of less than 5.

903.2.8 Group R

Delete paragraph and substitute with the following:

An Automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3 must be provided throughout all buildings with a group R fire area. Group R shall have 100% automatic sprinkler coverage throughout all buildings and spaces to include, but not limited to: bathrooms, closets, porches, porte-cocheres and/or attics.

Exceptions:

1. One-family dwellings (single family) Group R occupancies.

2. Two-family dwellings (townhouse) occupancies with no more than two attached units that are divided by 2-hour fire walls.

907.2.3 Group E

Delete paragraph and substitute with the following:

An automatic Fire Alarm system must be provided throughout all Group E occupancies. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.

CHAPTER 11 - CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

Delete Section

1103.5.1 Group A-2. Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of 300 or more, the fire area containing the Group A-2 occupancy shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.

Appendix A; Board of Appeals

Adopt and Delete section in its entirety and substitute with the following:

The Board of Appeals shall be governed and formed in accordance to the La Porte, Texas, Code of Ordinances, Subpart A - General Ordinances, Chapter 38 - Fire Prevention and Protection, Article V. Fire Code Review Board.

Appendix B; Fire Flow Requirements for Buildings

Adopt section in its entirety

Appendix C; Fire Hydrant Locations and Distribution

Delete section in its entirety

Appendix D; Fire Apparatus Access Roads

Adopt section in its entirety

Appendix E; Hazard Categories

Adopt section in its entirety

Appendix F; Hazard Ranking

Adopt section in its entirety

Appendix G; Cryogenic Fluids—Weight and Volume Equivalents

Adopt section in its entirety

Appendix H; Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

Adopt section in its entirety

Appendix I; Fire Protection Systems - Noncompliant Conditions

Adopt section in its entirety

Appendix J; Building Information Sign

Delete section in its entirety

Appendix K; Construction Requirements for Existing Ambulatory Care Facilities

Adopt section in its entirety

Appendix L; Requirements for Fire Fighter Air Replenishment Systems

Delete section in its entirety

Appendix M; High-Rise Buildings—Retroactive Automatic Sprinkler Requirement

Delete section in its entirety

Appendix N; Indoor Trade Shows and Exhibitions

Adopt section in its entirety

LOCAL AMENDMENTS TO THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE

The following represents local amendments to the 2015 Edition of the International Fire Code, adopted by the City Council of the City of La Porte on January 12, 2015; in Ordinance number 1388-E. References are to additions, deletions, amendments, or replacement of 2015 Edition of the International Fire Code sections. Section numbers correspond to the numbering in the 2015 Edition of the International Fire Code.

CHAPTER 1 ADMINISTRATION

109.4 Violation penalties.

Amend by deleting this section and adding a new paragraph.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, shall be guilty of a violation and punishable by a fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

111.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

CHAPTER 2 DEFINITIONS

202 General Definitions.

Amend paragraph [BG] Educational Group E. Day Care to read as follows:

The use of a building or structure, or portion thereof, for education, supervision or personal care services for more than five children older than 2-1/2 years of age, including children related to the staff, shall be classified as an E Occupancy.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

401.3.4 False Alarm Charges.

Amend by adding a new subsection 401.3.4

Except as otherwise provided herein, the owner of a building containing a fire protection, fire alarm, or other types of emergency notification systems, shall pay a charge in accordance with this section for each and every false alarm to which the fire department responds.

Exceptions:

1. No charge for the first two false alarms within a calendar year.
2. Each false alarm in excess of two during a calendar year will be charged a response fee of \$200.00

As used by the section, “false alarm” means an alarm signal generated by a privately owned fire or emergency alarm system reporting an alarm for which no fire or emergency actually exists; it includes system malfunctions, faulty operation of detectors, and false alarms not classified above. It does not include those incidents where the detector or system operated as designed such as but not limited to, a smoke detector sounding from someone smoking under the detector or a manual pull station being pulled.

405.10 False alarms.

Amend by adding a new subsection 405.10 to read as follows:

False alarms may not count as a fire drill for the purpose of this section.

CHAPTER 5 FIRE SERVICE FEATURES

503.3 Marking

Amend paragraph 503.3 Marking, to read as follows:

The Fire Marshal of the City of La Porte or designee is hereby authorized to designate fire lanes/fire zones on the property of shopping centers, nursing homes, hospitals, apartment complexes, town home complexes, schools and any other locations that he has deemed necessary to have fire lanes/fire zones.

- A. The designation by the Fire Marshal of such lanes/fire zones shall never be held to make the City of La Porte responsible for the maintenance of such lanes on private property, but the owner of such property shall continue to be responsible for the maintenance for such areas.
- B. Upon designation of such fire lane/fire zones pursuant to this code, the Fire Marshal shall give notice of such designation to the owner of such property, directing the owner to cause signs to be posted and/or curbs to be painted and/or stenciled.
- C. The required signs and/or painted curb shall read "FIRE LANE" or, "FIRE ZONE". The letter size should be not less than 3" in height and 1/2" in width.
- D. The sign shall be a metal sign of standard size, with a weather resistant white background with red letters. The mounting and height information can be obtained from the City of La Porte Public Works and/or City of La Porte Police Department. The sign shall be installed not less than every 20 feet.
- E. The curb shall be painted "Red" in color and/or the stenciled information, "FIRE ZONE" and/or "FIRE LANE" shall be stenciled in "White" colored letters. The stencil should not be less than 20 feet, apart on the curb.
- F. It is hereby declared to be unlawful to obstruct in any manner, including parking or standing any attended or unattended vehicle in any fire lane/fire zone as defined hereof, where the signs have been erected or the curbs have been painted and stenciled including pre-existing fire lane/fire zones with visibly erected signs and/or stenciled curbs reading "FIRE LANE" or "FIRE ZONE"

EXCEPTIONS:

1. Any authorized emergency vehicle conducting official emergency business.
2. Any marked vehicle of the United States Postal Service officially dispatching mail or any marked vehicle of a Parcel Post Delivery Service officially dispatching Parcel Post.
3. Any armored vehicle officially dispatching or picking up currency.

503.7 Violations

Amend by adding a new subsection 503.7 to read as follows:

It is hereby declared to be unlawful for any person, without lawful authority of the Fire Marshal to attempt to or in fact alter, deface, injure, knock down, or remove any sign and/or painted curb designating a fire lane/fire zone that has been erected and/or stenciled under the term of this code.

The Fire Marshal, any duly authorized representative, and/or any peace officer of the State of Texas may issue a summons or notice to appear in answer to a charge of any violation of this code. Such summons shall be issued on an official form (ticket book) acceptable to the City of La Porte.

Any person found guilty of a violation of this code shall, upon conviction, be subject to a fine ranging from one dollar to two thousand dollars, as set by the City of La Porte Municipal Court. Each day the violation continues shall constitute a separate offense.

No owner, manager or person in charge of any premises served by a required fire lane/fire zone shall abandon or close any such fire lane/fire zone without permission of the Fire Marshal or designee.

507.5.1 Installation

Amend by deleting the existing paragraph and replace with the following paragraph:

All required water mains and fire hydrants shall be installed as follows:

1. Residential area fire hydrants shall be installed on a 6-inch or larger approved water main and placed so that no building is over 500 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

EXCEPTIONS:

- A. When in the opinion of the fire chief and fire marshal a water main and/or fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in the vicinity, consistent with the terms of this code.

2. Commercial and industrial area fire hydrants shall be installed on an 8-inch or larger approved water main and shall be placed so that no part of any building is over 300 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

EXCEPTIONS:

- A. When in the opinion of the fire chief and fire marshal a water main and/or the fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the fire chief and fire marshal have been notified in writing that pending water mains and fire hydrants are being installed in that vicinity, consistent with the terms of this code.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

Amend by adding new subsection

609.3.5 Plan Submittal Requirements

Pre-Engineered Systems - Plan submittal shall comply with the following requirements for Pre-Engineered Systems;

- a. Be planned by a Type PL licensee or a Texas Registered Professional Engineer. All shop drawings must bear the signature of a Type PL licensee, his license number, and the certificate-of-registration number of the registered firm or a Texas Registered Professional Engineer seal.
 - ❖ If a PE is used, the PE shall provide written documentation to this office as to his knowledge that he has reviewed the Pre-Engineered System and that the system meets all applicable City of La Porte Fire Codes and any applicable State Codes.
- b. Designer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Design of said equipment.

- c. Installer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Installation of said equipment

CHAPTER 9 FIRE PROTECTION SYSTEMS

901 General

Amend by adding new subsections

901.5.2 Required attendance for Installation acceptance testing.

A person licensed through the Texas State Fire Marshal's Office to install Fire Sprinkler systems (RME-G and/or RME-U) shall be onsite during all phases of installation and during the Fire Marshal's inspection.

901.5.3 Required Documentation for Installation acceptance testing.

The Fire Marshal's Office approved set of Fire Sprinkler Plans, manufacture's product data sheets on all equipment being installed, and the installation permit are to be on site for all Fire Marshal's Office inspections. The On-Site Installer shall have a current State license, on his person, while on the job site.

901.5.3 Required Actions for Installation acceptance testing.

The fire sprinkler piping shall not be covered up prior to the Fire Marshal's Office visual inspections of the piping. If the piping is covered, and the inspectors cannot inspect as is required by Fire Code, all of the obstructions will be required to be removed.

903.2.3 Group E.

Delete paragraph and substitute with the following:

An automatic sprinkler system must be provided throughout all Group E occupancies. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.
2. Day care uses not otherwise requiring an automatic sprinkler system by other provisions of the code.

Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with section 903.3.1.3 or an approved equivalent system. This includes children related to the staff.

903.2.8.3 Group R-1 & R-2.

Add new subsection to read as follows:

An Automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 must be provided throughout all buildings with a group R-1& R-2 fire area. Group R-1& R-2 shall have 100% automatic sprinkler coverage throughout all buildings and spaces.

Appendix A; Board of Appeals

Adopt and Delete section in its entirety and substitute with the following:

The Board of Appeals shall be governed and formed in accordance to the La Porte, Texas, Code of Ordinances, Subpart A - General Ordinances, Chapter 38 - Fire Prevention and Protection, Article V. Fire Code Review Board.

Appendix B; Fire Flow Requirements for Buildings

Adopt section in its entirety

Appendix C; Fire Hydrant Locations and Distribution

Delete section in its entirety

Appendix D; Fire Apparatus Access Roads

Adopt section in its entirety

Appendix I; Fire Protection Systems - Noncompliant Conditions

Adopt section in its entirety

Appendix J; Building Information Sign

Delete section in its entirety

Appendix K; Construction Requirements for Existing Ambulatory Care Facilities

Adopt section in its entirety

Appendix L; Requirements for Fire Fighter Air Replenishment Systems

Delete section in its entirety

Appendix M; High-Rise Buildings—Retroactive Automatic Sprinkler Requirement

Delete section in its entirety



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 28, 2020

Requested By: Alfonso Acosta, Dep. Bldg. Off.

Department: Planning & Development

☐ Report ☐ Resolution ☒ Ordinance

Exhibits: Recommendation Memo from Board, Ordinance redline, Ordinance final, Exhibits A-E.2 International Code Council Fact Sheets and Letters of Support

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☒ Yes ☐ No

SUMMARY & RECOMMENDATION

Per Section 82-14 (2) of the City of La Porte Code of Ordinances, the Building Code Appeals Board has the power “to conduct a regular comprehensive review of the codes . . . and has the power to recommend to the City Council of the City of La Porte changes, additions or deletions from said codes for any reason . . .”. Consistent with this authority, at the July 7 and 21, 2020 meetings, the Board members voted to recommend to City Council the adoption of the 2018 International Code Council building code editions and the 2020 National Electrical Code with local amendments. In accordance with past practice, the proposed ordinance to adopt the new codes includes a 60 day delayed implementation date to allow for timely notifications to contractors and citizens, and updates to the City website, materials and handouts.

The Building Code Appeals Board’s specific recommendations for code adoptions follow below:

- 2018 International Building Code
- 2018 International Residential Code
- 2018 International Plumbing Code
- 2018 International Fuel Gas Code
- 2018 International Energy Conservation Code
- 2018 International Mechanical Code
- 2018 International Swimming Pool and Spa Code
- 2020 National Electrical Code

The Board's recommendation to City Council is based on a comprehensive review of options and possible amendments. The Inspections staff initiated the review process in the spring, and the Board met over several weeks to consider and discuss code options, possible amendments, and the City of La Porte Code of Ordinances Chapter 82- Buildings and Building Regulations. These public meeting discussions included testimony and presentations from the International Code Council and the Uniform Code Council.

Per Ordinance No. 2013-3418, the City of La Porte currently utilizes the following building codes, adopted May 13, 2013 and effective July 15, 2013:

- 2012 International Building Code
- 2012 International Residential Code
- 2012 International Energy Conservation Code
- 2012 Uniform Mechanical Code
- 2012 Uniform Plumbing Code

Per Ordinance No. 2011-2288, the City of La Porte also utilizes the 2011 National Electrical Code with local amendments, adopted on October 24, 2011 and effective December 1, 2011.

Approval to adopt the recommended 2018 code editions is necessary to remain current on public health and building safety regulations, and retain the City's favorable ISO (Insurance Services Office) Building Code Effectiveness Grading Schedule (BCEGS) classification. ISO distributes the BCEGS classifications to assist property/casualty insurers in their insurance and premium development programs for residential and commercial properties. Based on a December 2019 ISO survey, the City of La Porte's current Class 4 rating will be downgraded if the City fails to adopt and implement the new code editions within a one (1) year grace period.

Staff and the Building Code Appeals Board recommends the City Council approve an Ordinance adopting of the 2018 International Code editions and the 2020 National Electrical Code with local amendments.

ACTION REQUIRED BY CITY COUNCIL

Consider, discuss and possibly approve/adopt or deny an Ordinance for 2018 International Code editions and the 2020 National Electrical Code with local amendments.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



City of La Porte

Established 1892

Planning and Development Department

Teresa Evans, Director

TO: Honorable Mayor and City Council

FROM: Mr. Mark Follis, Chairman of the Building Codes Appeals Board

CC: Building Codes Appeals Board Members: Pat McCabe; Bryan Moore, Jr.; Paul Larson;
Mike Mosteit; Ken Schlather; Maisie Barringer

Teresa Evans, Director of Planning and Development

Corby D. Alexander, City Manager

DATE: 09.09.20

RE: Adoption of Building Codes with Local Amendments

In accordance with Section 82-14 (2) of the City of La Porte Code of Ordinances, the Building Code Appeals Board voted to recommend the adoption of the 2018 International Code editions and the 2020 National Electrical Code with local amendments at the July 7 and 21, 2020 meetings. The recommendations are based on a comprehensive review of potential updates and options by the Board members and the City's Building Inspectors. Approval to adopt the 2018 code editions is necessary to remain current on public health and building safety regulations, and retain the City's favorable ISO (Insurance Services Office) Building Code Effectiveness Grading Schedule (BCEGS) classification. The City of La Porte is currently using the 2012 code editions and did not adopt the 2015 code editions.

The Building Code Appeals Board's specific recommendations for code adoptions follow below.

- 2018 International Building Code (Motion Passed 5-0)
- 2018 International Residential Code (Motion Passed 5-0)
- 2018 International Plumbing Code (Motion Passed 3-2, Mosteit and McCabe against)
- 2018 International Fuel Gas Code (Motion Passed 3-2, Mosteit and McCabe against)
- 2018 International Energy Conservation Code (Motion Passed 5-0)
- 2018 International Mechanical Code (Motion Passed 3-2, Mosteit and McCabe against)
- 2018 International Swimming Pool and Spa Code (Motion Passed 5-0)
- 2020 National Electrical Code (Motion Passed 4-0, Mosteit abstained)

The Building Code Appeals Board recommends City Council approve the adoption of the 2018 International Code editions and the 2020 National Electrical Code with local amendments, with an effective date of 60 days from the date of approval. A 60-day implementation date allows staff adequate time to notify contractors and citizens, and update handouts, plan review materials, and the city website.

The Building Code Appeals Board greatly appreciates the City Council's consideration and support to adopt the recommended code updates. Please contact me if you have any questions.

Sincerely,

Mark Follis
Chairman, Building Code Appeals Board

ORDINANCE NO. 2020-3803

AN ORDINANCE AMENDING CHAPTER 82 "BUILDINGS AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, BY ADOPTING THE 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL BUILDING CODE, 2018 INTERNATIONAL ENERGY CONSERVATION CODE, 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 INTERNATIONAL PLUMBING CODE, 2018 INTERNATIONAL MECHANICAL CODE, 2018 FUEL GAS CODE AND 2020 NATIONAL ELECTRICAL CODE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE HEREOF

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 82, "Buildings and Building Regulations", Article II "Building Codes", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

ARTICLE II. - BUILDING CODES

Sec. 82-31. - Adoption.

- (a) Except as provided in this division, the International Residential Code and the International Building Code, ~~2012 editions~~ **2018 editions**, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy **of the International Residential Code and the International Building Code, 2018 editions**, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Sec. 82-32. – **International** Residential **C**ode amendments.

Section 101.1 Title. These regulations shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of La Porte, hereinafter referred to as "this code".

~~Section R105.2 Work Exempt from Permit. Plumbing: The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work~~

~~and a permit shall be obtained and inspection made as provided in this code. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets.~~

Subsection R105.2 is amended to read as follows:

R105.2 Work exempt from permit. ~~Plumbing:~~ Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Prefabricated swimming pools that are less than 24 inches (610 mm) deep
3. Swings and other playground equipment.

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable *electrical* equipment to *approved* permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Table R301.2(1) Climatic and Geographic Design Criteria. Establishment of criteria in accordance with table shown.

Ground Snow Load	Wind-Design		Seismic Design Category "f"	Subject to Damage From			Winter Design Temp "e"	Ice Barrier Under- layment Required "h"	Flood Hazards "g"	Air Freezing Index "i"	Mean Annual Temp "j"
	Speed "d" (mph)	Topographic effects "k"		Weathering "a"	Frost Line Depth "b"	Termite "c"					
0	See Note #1	No	A	N	12"	VH	32°	No	4-9-87 11-6-96 6-18-07	1500 or less	67°

Note #1: For all residential developments, wind design speed rating shall be no less than 120 m.p.h. for IRC Section R301.2.1.1 and for use with Table R.301.2(2), or for use with the methods listed in IRC Section R301.2.1.1, or with methods that utilize ASCE 7-05. The wind design speed rating shall be no less than 150 m.p.h. for any approved methods that utilize ASCE 7-10.

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special Wind region	Windborne debris zone		Weathering	Frost line Depth	Termite					
0	150	NO	NO	Wind Zone 3 Missile D*	A	NEGLIGIBLE	12"	VERY HEAVY	32° F	NO	See FIRM Maps and Ordinances	1500 or less	69° F
MANUAL J DESIGN CRITERIA													
Elevation			Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference				
23ft to 9ft - Check Site			29° 40'	32° F	94° F	1	70° F	75° F	38° F				
Cooling temperature difference			Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity					
19° F			15 mph	7.5 mph	78	M	60%	85%					

***Windborne Debris Protection:**

Skylights are missile level C

Missile levels are for elevations less than or equal to 30 ft

Section R301.2.1.2 Protection of Openings. Exterior glazing, in new or building additions, located in windborne debris regions shall have glazed openings protected from windborne debris. Glazed opening protection for windborne debris shall meet the requirements of the Large Missile Test of ASTM E 1996 and ASTM E 1886 referenced therein.

Garage door glazed opening protection for windborne debris shall meet the requirements of an approved impact-resisting standard or ANSI/DASMA 115.

Code Deletions.

The following sections of the 2018 International Residential Code are deleted.

Subsection R309.5 *Fire Sprinklers*

Section R313 *Automatic Fire Sprinkler Systems*

Subsection R905.7 *Wood Shingles*

Subsection R905.8 *Wood Shakes*

Section P2904 *Dwelling Unit Fire Sprinkler Systems*

Part VIII, Electrical Chapters 34-43 (E3401 thru E4304.5) are deleted in their entirety.

Sec. 82-33. – **International** Building **C**ode amendments.

The building code adopted in section 82-31 of this article shall be amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Building Code of the City of La Porte, hereinafter referred to as "this code".

Subsection 105.2 is amended to read as follows:

Subsection 105.2 Work exempt from permit: Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
3. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.

Electrical:

1. Repairs and Maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable *electrical* equipment to *approved* permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

3. Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

~~Section 419 Live/Work Units. Deletion of entire section (Sections 419.1 thru 419.9)~~

Chapter 16, Basic wind speed for the City shall be as follows:

~~Figure 1609A, Ultimate Design Wind Speed (3-Second Gust) – 150 M.P.H.~~

Figure 1609.3(1) – Basic Design Wind Speeds (3-Second Gust) – 150 M.P.H.

~~Figure 1609B, Ultimate Design Wind Speed (3-Second Gust) – 160 M.P.H.~~

Figure 1609.3(2) – Basic Design Wind Speeds (3-Second Gust) – 160 M.P.H.

~~Figure 1609C, Ultimate Design Wind Speed (3-Second Gust) – 140 M.P.H.~~

Figure 1609.3(3) – Basic Design Wind Speeds (3-Second Gust) – 160 M.P.H.

Figure 1609.3(4) – Basic Design Wind Speeds (3-Second Gust) – 140 M.P.H.

Code Deletions.

The following sections of the 2018 International Building Code are deleted.

Subsection 1507.8 Wood shingles

Subsection 1507.9 Wood shakes

Section 27 Electrical. Chapter (Sections 2701 thru ~~2702-3~~ 2702.4) is deleted in its entirety.

Section 28 Mechanical Systems. Chapter (Section 2801) is deleted in its entirety.

Section 419 Live/Work Units. Deletion of entire section (Sections 419.1 thru 419.9).

Sec. 82-34. - Liability insurance requirements for holders of permits for moving buildings.

The holder of a permit for the moving of a building shall be required to carry liability insurance in the following sums:

- (1) The minimum sum of \$50,000.00 for injury or death of one person, or \$100,000.00 for injury or death to more than one person from any one accident; and
- (2) The minimum sum of \$100,000.00 for property damage for any one accident.

Such policy shall contain a provision obligating the insurer to give a written notice of cancellation, not less than ten days prior to the date of such cancellation, to the building inspector. No moving permit will be issued unless such insurance is in full force and effect.

Sec. 82-35. - General and building contractors; liability insurance requirements.

- (a) No permit shall be issued for any general or building contracting work, as such work is defined within the ~~Standard~~ [International] Building Code, adopted in section 82-31, until the general or building contractor or his employer shall have arranged to carry the following insurance:
 - (1) Workers' compensation insurance on each and every one of his employees as required and in accordance with the provisions of the state Workers' Compensation Act;
 - (2) Public liability insurance to the extent of \$50,000.00 for any one accident, and \$100,000.00 for any one person; and
 - (3) Property damage insurance to the extent of \$10,000.00 for any one accident, and \$100,000.00 in the aggregate.
- (b) Such insurance shall be written by an accredited company under the supervision of the board of insurance commissioners of the State of Texas.
- (c) Evidence of compliance with the insurance requirements of subsections (a) and (b) of this section shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the chief building official of the city. Such policy shall include an endorsement thereon that the chief building official will be notified at least ten days in advance in the event of the policy being cancelled or expiring before the expiration date of the license.

Sec. 82-36. - Plan review fee.

[Amounts established by the city and listed in appendix A of this Code.]

Sec. 82-37. - Minimum size stud walls where drain, waste and/or vent plumbing is installed.

Minimum six-inch stud walls shall be required where drain, waste and vent (DWV—Horizontal and/or vertical) plumbing is installed. The use of two by six studs (wood or metal) shall be required for new construction and additions (addition of square footage) for both residential and non-residential construction where DWV plumbing is installed.

Secs. 82-38—82-65. - Reserved.

Section 2: That Chapter 82, "Buildings and Building Regulations", Article III "Plumbing Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"Article III "Plumbing Code"

Sec. 82-66. - Adoption.

- (a) Except as provided in this article, the ~~Uniform Plumbing Code, 2012~~ **International Plumbing Code, 2018** edition, published by the ~~International Association of Plumbing and Mechanical Officials~~ **International Code Council**, as ~~addressed by the plumbing regulations of the International Residential Code, 2012 edition, as adopted by section 82-34 of this chapter,~~ is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling **and apply to** in the design, construction, quality of materials, erection, installation, alteration, repairs, location, relocation, replacement, addition to, use and or maintenance of buildings and structures **plumbing systems** within the city limits. One copy of the **International Plumbing Code, 2018 Edition** is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the City's Code of Ordinances.

Sec. 82-67. - Amendments.

The plumbing code adopted in section 82-66 of this article shall be amended to read as follows:

~~Section 102.3 Board of Appeal. Sections 102.3 and 102.3.1 are deleted in their entirety.~~

~~Section 103.1 General. Delete in its entirety.~~

~~Section 103.1.1 (2) Exempt Work. The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures.~~

~~Section 103.4 Fees. Fees shall be assessed in accordance with Appendix A of the City's Code of Ordinances.~~

~~Section 103.4.1 Plan Review Fees. Delete section in its entirety.~~

~~Section 103.4.4 Fee Refunds. Delete Sections 103.4.4 thru 103.4.4.2 in their entirety.~~

~~Section 106.6.3 Fee Refunds, No. 2. This section deleted in its entirety.~~

~~Section 106.6.3 Fee Refunds, No. 3. This section deleted in its entirety.~~

~~Section 109 Means of Appeal. This section deleted in its entirety.~~

~~Appendix A Plumbing Permit Fee Schedule. This section deleted in its entirety.~~

Section 101.1 Title. These regulations shall be known as the Plumbing Code of the City of La Porte, hereinafter referred to as "this code".

Code Deletions.

The following sections of the 2018 International Plumbing Code are deleted in their entirety.

Subsection 106.6.2 Fee schedule.

Subsection 106.6.3 Fee refunds.

Section 109 Means of Appeal.

Sec. 82-68. - Plumbing and mechanical contractors; liability insurance requirements.

- (a) No permit shall be issued for any plumbing contract work, as such work is defined within the city codes adopted in sections 82-31 and 82-66 until the plumbing contractor or his employer shall have arranged to carry the following:
 - (1) Workers' compensation insurance on each and every one of his employees as required and in accordance with the provisions of the Workers' Compensation Act of the State of Texas;
 - (2) A certificate of insurance must be:
 - a. Written by a company licensed to do business in this state;
 - b. Provided for commercial general liability insurance for the master plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim; and
 - c. A coverage amount of not less than \$300,000.00 for all claims arising in any one-year period.
- (b) Such insurance shall be written by an accredited company under the supervision of the board of insurance commissioners of the state.
- (c) Evidence of compliance with the above insurance requirements shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the chief building official of the city. Such policy shall include an endorsement thereon that the chief building official will be notified at least ten days in advance in the event of the policy or policies being cancelled or expiring before the expiration date of the license.

Secs. 82-69—82-100. - Reserved.

Section 3: That Chapter 82, "Buildings and Building Regulations", Article IV "Electric Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE IV. - ELECTRICAL CODE

DIVISION 1. - GENERALLY

Sec. 82-101. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice electrician means the holder of an apprentice electrician license.

Electrical work means the installing, maintaining, altering, repairing or erecting of any electrical wiring, apparatus, devices, appliances, fixtures or equipment for which a permit is required under the terms and provisions of the electric code.

Inspector shall mean the chief building official of the city or any of the division construction inspectors under her/his supervision.

Journeyman electrician means the holder of a journeyman electrician license.

Master electrician means the holder of a master electrician license.

Sec. 82-102. - Electrical work to be done only by or under licensed master electrician.

- (a) Except as provided in this article, it shall be unlawful for any person to do electrical work within the city unless such person is a master electrician licensed under the provisions of the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act), or unless such person does such electrical work under the supervision, direction and control of a master electrician licensed under the provisions of said code.
- (b) Nothing in the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act) shall ever be construed or operate to prevent any person from doing electrical work in or on his property which he owns, where he resides and which he maintains as a homestead. Such homeowner shall not be required to be a licensed electrician but shall otherwise conform to all other requirements of said code. In doing electrical work on his own property, as provided in this subsection, such owner shall not use any hired assistant unless such assistant is duly licensed under the terms of said code.
- (c) Except as provided in subsection (b) of this section, no electrical work shall be performed by any person not the holder of the required license. No person, firm or corporation shall employ any other person for doing electrical work unless such person proposed to be employed is the holder of the proper license.

Sec. 82-104. - Tampering.

- (a) It shall be unlawful for any person to bridge, tamper with or change from its original installation, except upon the approval of the inspector, and then only after a proper permit for alteration has been issued, any fuse of the plug, cartridge type or link type, installed in panel boards, main switches or switchboards, or to alter or change circuit breakers so that the original calibration will be affected, or to tie down or secure any circuit breaker so that it will not function properly.
- (b) It shall be unlawful for any person, in any manner, to interfere with any electrical wiring installed or being installed in, or on, within or without any structure or building. If in the course of erection of a building or structure the wiring is in such position as to interfere with the erection or completion of the building or structure as called for by the plans, notice shall immediately be given the person installing the wiring and the needed change shall be made by such person.
- (c) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment for the installation of which a permit is required until it shall have received an approval by the inspector.
- (d) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment which have been disconnected by the inspector or the use of which has been ordered by the inspector to be discontinued until approval has been issued by the inspector.

Secs. 82-105—82-150. - Reserved.

DIVISION 2. - RESERVED

Secs. 82-151—82-280. - Reserved.

DIVISION 3. - PERMITS

Sec. 82-281. - Required; exceptions.

- (a) No wiring, poles, duct line, guy anchors, apparatus, devices, appliances, fixtures or equipment for the transmission, distribution or utilization of electrical energy for any purpose shall be installed within the city limits, nor shall any alteration or addition be made in any such existing wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment without first securing a permit therefor from the inspector, except that no permit shall be required for the following:

- (1) Replacing fuses or lamps or the connection of portable devices to suitable receptacles which have been permanently installed or for repairs to portable appliances.
 - (2) Minor repair work, such as repairing or replacing flush and snap switches, receptacles and lamp sockets, or minor repairs on permanently connected electric apparatus, appliances, fixtures or equipment, or the installation of light globes.
 - (3) The installation, maintenance or alteration of wiring, apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the primary side of the source of power from the power company at a voltage over 50 volts and which generates more than 500 watts of energy.
 - (4) Poles and guy anchors, for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment to be installed by an electric public service corporation for the use of such corporation in the generation, transmission, distribution, sale or utilization of electrical energy. However, an electric public service corporation shall not do any wiring on a customer's premises other than wiring which is part of the company's distribution system, nor shall any of its employees do any work other than that done for the company as provided for in this section, by virtue of this exemption.
 - (5) The installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized school in teaching electricity.
- (b) Where no permit is required for the installation or repair of wiring, apparatus, devices or equipment for the transmission, distribution or utilization of electrical energy for any purpose, the wiring, apparatus, devices or equipment shall be installed or repaired in conformity with the provisions of this article.

Sec. 82-282. - Application and issuance.

- (a) The application for a permit shall describe the work to be done and shall be made in writing by a master electrician or his company representative. The permit, when issued, shall be issued to such applicant to cover such work as described and detailed. Any changes or additions must be covered by additional permits at the time changes are made. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installations, as described, will be in conformity with the requirements of this article.
- (b) Reserved.
- (c) Reserved.
- (d) If it is found that the installation, as described, will, in general, conform to the requirements of this article, and if the applicant has complied with all provisions of the ordinances of the city, a permit for such installation shall be issued. The issuance of a permit will not be taken as permission or as a license to violate any of the requirements of this article or any other ordinance of the city.
- (e) The inspector may issue and enforce any rules or regulations he may deem necessary covering the granting of emergency permits, where real emergencies exist.
- (f) Before a permit is issued, fees shall be paid to the city in amounts listed in appendix A of the city's Code of Ordinances.

Sec. 82-283. - Reserved.

Sec. 82-284. - Insurance requirements.

- (a) No permit shall be issued until the master electrician shall have arranged to carry the minimum insurance as required by the Administrative Rules of the Texas Department of Licensing and Regulation, 16 Texas Administrative Code, Chapter 73; Section 73.40.
- (b) Evidence of compliance with the insurance requirements of subsection (a) of this section shall be considered as having been met when a certificate of insurance has been filed with and approved by the city. Such policy shall include an endorsement thereon that the city will be notified at least ten days in advance in the event of the policy being cancelled.

Secs. 82-285—82-305. - Reserved.

DIVISION 4. - INSPECTIONS

Sec. 82-306. - Inspector's responsibilities.

The inspector shall, upon application, cause to be issued permits for the installation and alteration of electrical wiring, devices, appliances, fixtures, apparatus and equipment, and certificates of final approval therefor, and shall be responsible for inspection of all new electrical installations and re-inspections of all electrical installations, all as provided in this article. He shall keep complete records of all permits issued, inspections and re-inspections made, and other official work performed in accordance with the provisions of this article.

Sec. 82-307. - Entry upon private property.

The inspector shall have the right from 7:30 a.m. to 5:30 p.m. (Monday—Friday) or in emergency situations, to enter any building in the discharge of his official duties or for the purpose of making any inspection, reinspection or test of the installation of electrical wiring, apparatus, devices, appliances, fixtures and electrical equipment contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect in cases of emergency any wire where such electrical currents are dangerous to life and property, or where such wires may interfere with the work of the fire department. The inspector is hereby empowered in emergencies to disconnect and to order the discontinuance of electrical service to any electric wiring, apparatus, device, appliance, fixture or equipment found to be dangerous to life or property because of its being defective or defectively installed or otherwise not in conformity with the provisions of this article until such wiring, apparatus, device, appliance, fixture and equipment and their installation have been made safe as directed by him/her in conformity with this article.

Sec. 82-308. - Installations to be concealed.

When any part of a wiring installation is to be concealed by permanent placement of parts of a building, the master electrician or authorized representative to whom the permit has been issued shall notify the inspector, provided that on such installation as the concealment or parts of the wiring must, in the discretion of the inspector, necessarily proceed continuously, the master electrician to whom the permit has been issued shall give the inspector due notice, and inspection made periodically during the progress of work. Where, in the discretion of the inspector, it is necessary, he shall post notice upon the premises stating that work has been approved and may be covered, or it is not approved and may not be covered until such further inspection as is necessary has been made. Any person destroying, altering or defacing such notice without the consent of the inspector, shall be deemed guilty of an offense under this section, and any work described in the notice shall be stayed pending the further necessary inspection. Upon the completion of the work that has been authorized by the issuance of a permit, it shall be the duty of the master electrician to whom the permit has been issued to immediately notify the inspector, who shall inspect such installations within three days, exclusive of weekends and holidays, of the time such notice was given.

Sec. 82-309. - Authorization for electrical service.

If the work is found to be in compliance with the provisions of this article, the inspector, subject to the other applicable provisions of this article, shall issue a final approval to the public utility corporation furnishing the electrical service or the person supplying the energy, which approval shall authorize connection of such approved work to the source of energy of the electrical service, the turning on of current and the use of the installation. No connection shall be made until such authorization and final approval is given.

Sec. 82-310. - Reinspection; correction of unsafe conditions.

The inspector shall make, upon information or belief that faulty conditions exist, a thorough reinspection of any electrical wiring, apparatus, devices, appliances, fixtures and equipment now installed or that may hereafter be installed and within the scope of this article, and when the installation of such wiring, apparatus, devices, appliances, fixtures and equipment is found to be at variance with the original permit issued, or to be in a dangerous or unsafe condition, or if it is found that the electrical measuring device has been tampered with so as to create a condition dangerous to the continuity of the electrical service or to property, the person owning, using or operating the same shall be notified in writing and shall

make the necessary repairs or changes required to place such wiring, apparatus, devices and equipment in safe condition so as to relieve the hazards created by such unauthorized conditions, and shall have such work completed within ten days, or any reasonably longer period specified by the inspector in the written notice.

Sec. 82-311. - Schedule of fees for inspection.

The master electrician making or supervising installation or alteration of electric wiring, apparatus, devices, appliances, fixtures or equipment, shall pay to the city fees in such amounts as established by the city and listed in appendix A of this Code.

Sec. 82-312. - Reserved.

Secs. 82-313—82-335. - Reserved.

DIVISION 5. - STANDARDS

Sec. 82-336. - National Electrical Code—Adoption.

- (a) **Except as provided in this article,** the National Electrical Code, ~~2011 Edition~~ **2020 Edition**, is hereby adopted as the regulations to govern and to be observed and followed in all electric wiring and in all electrical construction, installation, repair, alteration, operation and maintenance of electric wiring, apparatus and fixtures, except for the amendments adopted in sections 82-337 through 82-350, of this chapter. One copy of the **National Electrical Code, 2020 Edition**, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall be deemed to have committed a class C misdemeanor and upon conviction shall be punished by a fine in an amount as provided in appendix B of this Code.
- (d) All applicable fees shall be in accordance with appendix A of this Code.

Sec. 82-337. - Same—Amendments.

The electrical code adopted in section 82-336 is amended to read as provided in sections 82-338 through 82-350.

Sec. 82-338. - Aluminum conductors.

(a) Aluminum conductors may not be used in any wiring within residential buildings. ~~nor in any residential underground service conductors.~~ **However, in residential developments aluminum conductors shall be allowed up to the line side of the meter socket only.**

(b) Aluminum conductors may be used in commercial applications as follows:

- (1) Outside aerial conductors, and
- (2) Service entrance conductors.

Sec. 82-339. - Installation of electrical devices.

All electrical devices (including but not limited to outlets and switches) shall be installed with the screw-wrap or approved screw clamp installation. Back or quick stab installation is prohibited.

Sec. 82-340. - ~~Residential capacity and branch circuits.~~ **Reserved.**

~~(a) All services for 1 and 2 family dwellings, shall be a minimum of 100 Amp capacity and shall have a minimum of two spare breaker slots.~~

~~(b) All underground services shall be installed in a minimum of schedule 40 conduit.~~

Sec. 82-341. - Reserved.

Sec. 82-342. - Wiring within buildings.

Nonmetallic sheathed cable shall be used only for residential work, apartment houses, hotels, motels and similar occupancies equal to and less than three stories in height. Conductors in or on all tile and masonry walls of such buildings shall be encased in rigid conduit, flexible conduit, PVC conduit or electrical metallic tubing. Minimum size nonmetallic sheathed cable shall be limited to No. 12 AWG.

Sec. 82-343 ~~—82-347.~~ - Reserved.

~~Sec. 82-344. - Meter cabinets.~~

~~Meter cabinets or meter sockets shall be approved by the electric public service company and installed in accordance with subsection 82-102(a) of this chapter. Meter cabinets shall be installed in accordance with electric public service company standards and the National Electrical Code (NEC).~~

~~Sec. 82-345. - Feeders.~~

~~All services, except residential and interior feeders, shall be installed in rigid metal conduit, electric metallic tubing or approved busways, except that underground services and feeders may be installed in approved ducts or plastic conduit. The portion of the service ahead of the meter cabinet shall not be run through attic spaces.~~

~~Sec. 82-346. - Flexible conduit.~~

~~Flexible metallic conduit may be used, provided that such flexible metal conduit meets all specifications of the National Electrical Code; provided, however, that the wiring method of BX/Armour Clad is specifically prohibited.~~

~~Sec. 82-347. - Specific regulations for dwellings.~~

~~General lighting load in single-family residences shall be divided into not less than three circuits and shall be balanced as nearly as possible. Circuits may be of either 15 or 20 ampere capacity or may be mixed. Not more than eight outlets may be connected to any 15-ampere circuit, nor more than ten outlets to any 20-ampere circuit. For purposes of this section an outlet is considered to be a receptacle or fixture outlet.~~

Sec. 82-348. - Franchise to install equipment in streets.

No person or public service company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electrical energy, or for the operation of signals or the transmission of intelligence on, over or under the streets in the city, without first obtaining from the city council a franchise right or grant for the particular installation so desired to be made. Any such installation so made under such franchise or grant shall be in strict conformity with all rules and regulations and ordinances of the city.

Sec. 82-349. - Suspension of approval of materials.

The building codes appeal board (BCAB) may, for the good and justifiable reasons suspend or revoke the approval of certain materials or wiring.

Sec. 82-350. - Prohibition of installation of nonconforming goods.

(a) No electrical materials, apparatus, devices appliances, fixtures or equipment shall be installed in the city unless they are in conformity with the provisions of this article and the statutes of the state.

- (b) The maker's name, trademark or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures and equipment used or installed under the provisions of this article.

Secs. 82-351—82-380. - Reserved.

Section 4: That Chapter 82, "Buildings and Building Regulations", Article V "Reserved", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE V. – FUEL GAS CODE

Sec. 82-385.- Adoption.

- (a) Except as provided in this article, the International Fuel Gas Code, 2018 Edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Fuel Gas Code, 2018 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Code Deletions.

The following sections of the 2018 International Fuel Gas Code are deleted in its entirety:

Subsection 106.6.2 Fee schedule.

Subsection 106.6.3 Fee refunds.

Section 109 Means of Appeal.

Section 5: That Chapter 82, "Buildings and Building Regulations", Article VI "Energy Conservation Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE VI. - ENERGY CONSERVATION CODE

DIVISION 1. - GENERALLY

Sec. 82-411. - Purpose.

This article is declared to be remedial and establishes minimum prescriptive and performance-related regulation for the design of energy-efficient buildings and structures for the effective use of energy.

DIVISION 2. - STANDARDS

Sec. 82-412. - Adoption.

- (a) Except as provided in this article, the International Energy Conservation Code, ~~2012 edition~~, 2018 edition, published by the International Code Council, as amended in section 82-413 of this article or addressed by the energy efficiency regulations of the International Residential Code, ~~2012 edition~~, 2018 edition, as adopted by section 82-31 of this chapter, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Energy Conservation Code, 2018 edition is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

Sec. 82-413. - Amendments.

The energy conservation code adopted in section 82-412 of this article shall be amended to read as follows:

Section C101.1 Title. This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as "this ~~C~~code".

Section ~~C104.1~~ C105.1 General. Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3rd Party).

Section R101.1 Title. This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as "this Code".

Section ~~R104.1~~ R105.1 General. Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3rd Party).

Code Deletions.

Sections ~~C104.4 thru C104.8.1~~ C105.3 thru C105.7.1 are deleted in their entirety.

Sections ~~R104.4 thru R104.8.1~~ R105.3 thru R105.7.1 are deleted in their entirety.

Section 6: That Chapter 82, "Buildings and Building Regulations", Article VII "Mechanical Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE VII. - MECHANICAL CODE

Sec. 82-441. - Adoption.

- (a) Except as provided in this article, the ~~Uniform Mechanical Code, 2012 edition~~, International Mechanical Code, 2018 edition, published by the International Association of Plumbing and Mechanical Officials, ~~as addressed by the plumbing regulations of the International Residential Code, 2012 2018 edition published by the International Code Council~~, as adopted by section 82-31 of this chapter, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and

structures within the city limits. One copy of the **International Mechanical Code, 2018 Edition** is on file in the office of the city secretary.

(b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.

(c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

(d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Sec. 82-442. - Amendments.

~~The mechanical code adopted in section 82-441 of this article shall be amended as follows:~~

~~Section 103.1 General. This section deleted in its entirety.~~

~~Section 106.5.3 Fee Refunds, No. 2 (Permit Fee). This section deleted in its entirety.~~

~~Section 106.5.3 Fee Refunds, No. 3 (Permit Fee). This section deleted in its entirety.~~

~~Section 108.0 Board of Appeals. This section deleted in its entirety.~~

~~Section 109 Means of Appeal. This section deleted in its entirety.~~

~~Section 114.1 General. Fees shall be assessed in accordance with Appendix A of the City's Code of Ordinances.~~

~~Section 114.2 Permit Fees. The fee for each permit shall be in accordance with Appendix A of the City's Code of Ordinances.~~

~~Section 114.3 Plan Review Fees. This section deleted in its entirety.~~

~~Section 114.5 Investigative Fees - Work Without a Permit. Delete Sections 114.5 thru 114.5.1 in their entirety.~~

~~Section 114.6 Fee Refunds. Delete Sections 114.6 thru 114.6.3 in their entirety.~~

Code Deletions.

The following sections of the 2018 International Mechanical Code are deleted in their entirety:

Subsection 106.5.2 Fee schedule

Subsection 106.5.3 Fee refunds

Section 109 Means of Appeal.

Secs. 82-443—82-470. - Reserved.”

Section 7: That Chapter 82, "Buildings and Building Regulations", Article XI “Swimming Pools”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE XI. - SWIMMING POOLS

Sec. 82-631. - Definitions. **Reserved.**

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Multifamily dwelling project* means any combination of two or more family dwelling units.~~

~~*Private residential swimming pool* means any swimming pool located on private property under the control of a single home owner, the use of which is limited to members of his family or their invited guests.~~

~~*Public swimming pool* means any swimming pool, other than a private residential swimming pool, intended to be used collectively by numbers of persons for swimming or bathing, however owned or operated, and regardless of whether a fee is charged for such use. Such term includes, but is not limited to, swimming pools owned or operated incident to a multifamily dwelling project.~~

~~*Swimming pool* means any structure, basin, chamber, tank or other receptacle capable of containing an artificial body of water for swimming, diving or recreational bathing and having a depth at any point of three feet or more.~~

~~*Wading pool* means any special purpose pool or receptacle set aside primarily for use by children.~~

Sec. 82-632. - Standard Swimming Pool **and Spa** Code adopted.

~~The Standard Swimming Pool Code, 1994 edition, and appendices, as adopted by the Southern Building Code Congress International, Inc., is hereby adopted; provided, however, that the exception shown in section 304.2 (required equipment) is hereby deleted from such adopted code. A copy of the code is on file in the office of the inspection division of the city, incorporated by reference in this article, and made a part of this article, as fully as if copied at length in this section.~~

- (a) Except as provided in this section, the International Swimming Pool and Spa Code, 2018 edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling for the design, construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools, spas, hot tubs and aquatic facilities. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. One copy of the International Swimming Pool and Spa Code, 2018 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

Sec. 82-633. - Water quality.

- (a) The provisions of this section shall ~~not~~ apply to ~~private residential~~ **public** swimming pools.
- (b) All public swimming pools, as well as wading pools shall maintain water quality at all times consistent with the requirements set forth in this section:
 - (1) *Disinfectant.* There shall be introduced into such pools sufficient disinfectant so as to maintain at all times a free chlorine residual of not less than ~~0.5~~ **1.0** ppm as shown by the standard ortho-tolidine test, which level shall be maintained in all parts of the pool.
 - (2) *Acidity-alkalinity.* The pool water shall be maintained in an alkaline condition so that pH of the water shall not be less than 7.2.

- (3) *Clarity of water.* The pool water shall be sufficiently clear so that the main drain in the deepest part of the pool is clearly visible from the edge of such pool nearest the drain.
- (4) *Algae.* Pool water, floors, walls and surrounding decks and overflow gutters shall be kept free of algae.
- (5) *Bacterial quality.* Not more than 15 percent of samples tested shall show the presence of coliform organisms nor have a plate count of more than 200 bacteria per milliliter.
- (6) *Recirculation system.* Each public swimming pool shall be equipped with a recirculation system which shall consist of pumping equipment, hair and lint catcher and filters. Wading pools shall be physically separated from swimming pools and shall be served by the swimming pool recirculation system or by a separate system.

Sec. 82-634. - Annual public swimming pool license.

- (a) *Required; application.* It shall be unlawful to establish, maintain or operate a public swimming pool without first securing a public swimming pool license from the inspection services division. Written application for such license must be filed with the inspection services division, and must contain sufficient information to identify the owners and/or operators of the public swimming pool, the location of such pool, and the name and address of the person seeking the license.
- (b) *Operation without license.* It shall be unlawful for any public swimming pool owner or operator to operate such a swimming pool unless he shall have made application for a public swimming pool license.
- (c) *Validity; fees.* Licenses shall be valid for a period of one year beginning on May 1 of each year and shall be renewable annually during the month of April. The license fee and annual license renewal shall be a sum as established by the city and listed in appendix A of this Code. License fees for licenses issued after May 1 of each license year shall be prorated upon the basis of an amount as established by the city and listed in appendix A of this Code for each elapsed month, or fraction thereof, since May 1 of such year. All license fees shall be nonrefundable.
- (d) *Transferal.* Public swimming pool licenses shall be nontransferable.
- (e) *Inspections.* By the acceptance of the license, the licensee shall be deemed to authorize the inspection of his swimming pool at all reasonable hours. Failure to permit such inspection shall be grounds for suspension or revocation of the license.
- (f) *Inspection results; discrepancies.* Upon each such inspection by the inspection services division, the result of the inspection will be communicated to the licensee. Discrepancies found in the water quality standards, as required by section 82-633, shall be corrected within a time period specified by the building official. If such discrepancy is considered, in the opinion of the building official, to be hazardous to the health and safety of the public, such license may be suspended until the discrepancy is corrected. It shall be unlawful to maintain or allow the use of a public swimming pool during such period of suspension.

Sec. 82-635. ~~—Pools to be fenced and equipped with self-latching gates.~~ Reserved.

- ~~(a) Every person in possession of land within the corporate limits of the city, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool, shall at all times maintain upon the lot or premises on which the swimming pool is located and completely surrounding the swimming pool, a fence, wall or other solid structure no less than 44 inches high; provided, however, that the building official may waive such fence, wall or other solid structure surrounding such pool on one or more sides if, in his opinion, natural obstructions or barriers such as bays, rivers, seawalls and bulkheads make such unnecessary. Every opening in such fence or wall shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors or gates securely closed at all times when not in actual use. The term "swimming pool" is defined as any structure, basin, chamber, tank or other receptacle capable of containing an artificial body of water for swimming, diving or recreational bathing and having a depth of three feet or more.~~
- ~~(b) All plans hereafter submitted to the city for swimming pools to be constructed shall show compliance with the requirements of subsection (a) of this section and the final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of section 82-634 shall have been complied with by the owner, purchaser under contract, lessee, tenant or licensee.~~

Sec. 82-636. ~~—Additional construction requirements.~~ Amendments

~~In addition to the other requirements of this article, all swimming pools constructed in the city shall meet the following additional requirements:~~

- ~~(1) The drainpipe, ring and seat shall be of noncorrosive material.~~
- ~~(2) A sump shall be constructed under the pool, if the pool is of a depth of nine feet or more, to allow for draining and refilling.~~
- ~~(3) A light shall be installed at the deep end of the pool if the pool is more than seven feet deep.~~
- ~~(4) Swimming pools shall be drained in city storm drains only, and shall not be drained in sanitary sewer drains.~~
- ~~(5) All swimming pools shall be equipped with a backwash system."~~

The International Swimming Pool and Spa Code adopted in section 82-632 of this article shall be amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of the City of La Porte, hereinafter referred to as "this code".

302.6 Wastewater Discharge. Where wastewater from pools or spas, such as backwash water from filter discharges shall drain to a building drainage system and shall be of a connection made through an air gap in accordance with the International Plumbing Code or the International Residential Code in accordance with Section 102.7.1. If water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the International Plumbing Code or the International Residential Code in accordance with Section 102.7.1.

Code Deletions.

The following sections of the 2018 International Swimming Pool and Spa Code are deleted:

Subsection 105.6.2 Fee schedule.

Subsection 105.6.3 Fee refunds.

Section 108 Means of Appeal.

Section 8. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be shall be fined in a sum not to exceed two thousand dollars.

Section 9. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 10. All other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 11. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter

551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 12. This Ordinance shall be effective sixty (60) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the ____ day of _____, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

ORDINANCE NO. 2020- 3803

AN ORDINANCE AMENDING CHAPTER 82 "BUILDINGS AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, BY ADOPTING THE 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL BUILDING CODE, 2018 INTERNATIONAL ENERGY CONSERVATION CODE, 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 INTERNATIONAL PLUMBING CODE, 2018 INTERNATIONAL MECHANICAL CODE, 2018 FUEL GAS CODE AND 2020 NATIONAL ELECTRICAL CODE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE HEREOF

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 82, "Buildings and Building Regulations", Article II "Building Codes", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

ARTICLE II. - BUILDING CODES

Sec. 82-31. - Adoption.

- (a) Except as provided in this division, the International Residential Code and the International Building Code, 2018 editions, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Residential Code and the International Building Code, 2018 editions, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Sec. 82-32. – International Residential Code amendments.

Section 101.1 Title. These regulations shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of La Porte, hereinafter referred to as "this code".

Subsection R105.2 is amended to read as follows:

R105.2 Work exempt from permit. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Prefabricated swimming pools that are less than 24 inches (610 mm) deep
3. Swings and other playground equipment.

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable *electrical* equipment to *approved* permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Table R301.2(1) Climatic and Geographic Design Criteria. Establishment of criteria in accordance with table shown.

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATAGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special Wind region	Windborne debris zone		Weathering	Frost line Depth	Termite					
0	150	NO	NO	Wind Zone 3 Missile D*	A	NEGLECTIBLE	12"	VERY HEAVY	32° F	NO	See FIRM Maps and Ordinances	1500 or less	69° F
MANUAL J DESIGN CRITERIA													
Elevation		Latitude		Winter heating	Summer cooling	Altitude correction factor		Indoor design temperature	Design temperature cooling		Heating temperature difference		
23ft to 9ft - Check Site		29° 40'		32° F	94° F	1		70° F	75° F		38° F		
Cooling temperature difference		Wind velocity heating		Wind velocity cooling	Coincident wet bulb	Daily range		Winter humidity	Summer humidity				
19° F		15 mph		7.5 mph	78	M		60%	85%				

*Windborne Debris Protection:

Skylights are missile level C

Missile levels are for elevations less than or equal to 30 ft

Section R301.2.1.2 Protection of Openings. Exterior glazing, in new or building additions, located in windborne debris regions shall have glazed openings protected from windborne debris. Glazed opening protection for windborne debris shall meet the requirements of the Large Missile Test of ASTM E 1996 and ASTM E 1886 referenced therein. Garage door glazed opening protection for windborne debris shall meet the requirements of an approved impact-resisting standard or ANSI/DASMA 115.

Code Deletions.

The following sections of the 2018 International Residential Code are deleted.

Subsection R309.5 *Fire Sprinklers*

Section R313 *Automatic Fire Sprinkler Systems*

Subsection R905.7 *Wood Shingles*

Subsection R905.8 *Wood Shakes*

Section P2904 *Dwelling Unit Fire Sprinkler Systems*

Part VIII, Electrical Chapters 34-43 (E3401 thru E4304.5) are deleted in their entirety.

Sec. 82-33. – International Building Code amendments.

The building code adopted in section 82-31 of this article shall be amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Building Code of the City of La Porte, hereinafter referred to as "this code".

Subsection 105.2 is amended to read as follows:

Subsection 105.2. Work exempt from permit: Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
3. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.

Electrical:

1. Repairs and Maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable *electrical* equipment to *approved* permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Chapter 16, Basic wind speed for the City shall be as follows:

Figure 1609.3(1) – Basic Design Wind Speeds (3-Second Gust) – 150 M.P.H.

Figure 1609.3(2) – Basic Design Wind Speeds (3-Second Gust) – 160 M.P.H.

Figure 1609.3(3) – Basic Design Wind Speeds (3-Second Gust) – 160 M.P.H.

Figure 1609.3(4) – Basic Design Wind Speeds (3-Second Gust) – 140 M.P.H.

Code Deletions.

The following sections of the 2018 International Building Code are deleted.

Subsection 1507.8 Wood shingles

Subsection 1507.9 Wood shakes

Section 27 Electrical. Chapter (Sections 2701 thru 2702.4) is deleted in its entirety.

Section 28 Mechanical Systems. Chapter (Section 2801) is deleted in its entirety.

Section 419 Live/Work Units. Deletion of entire section (Sections 419.1 thru 419.9).

Sec. 82-34. - Liability insurance requirements for holders of permits for moving buildings.

The holder of a permit for the moving of a building shall be required to carry liability insurance in the following sums:

- (1) The minimum sum of \$50,000.00 for injury or death of one person, or \$100,000.00 for injury or death to more than one person from any one accident; and
- (2) The minimum sum of \$100,000.00 for property damage for any one accident.

Such policy shall contain a provision obligating the insurer to give a written notice of cancellation, not less than ten days prior to the date of such cancellation, to the building inspector. No moving permit will be issued unless such insurance is in full force and effect.

Sec. 82-35. - General and building contractors; liability insurance requirements.

- (a) No permit shall be issued for any general or building contracting work, as such work is defined within the International Building Code, adopted in section 82-31, until the general or building contractor or his employer shall have arranged to carry the following insurance:
 - (1) Workers' compensation insurance on each and every one of his employees as required and in accordance with the provisions of the state Workers' Compensation Act;
 - (2) Public liability insurance to the extent of \$50,000.00 for any one accident, and \$100,000.00 for any one person; and
 - (3) Property damage insurance to the extent of \$10,000.00 for any one accident, and \$100,000.00 in the aggregate.
- (b) Such insurance shall be written by an accredited company under the supervision of the board of insurance commissioners of the State of Texas.
- (c) Evidence of compliance with the insurance requirements of subsections (a) and (b) of this section shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the chief building official of the city. Such policy shall include an endorsement thereon that the chief building official will be notified at least ten days in advance in the event of the policy being cancelled or expiring before the expiration date of the license.

Sec. 82-36. - Plan review fee.

[Amounts established by the city and listed in appendix A of this Code.]

Sec. 82-37. - Minimum size stud walls where drain, waste and/or vent plumbing is installed.

Minimum six-inch stud walls shall be required where drain, waste and vent (DWV—Horizontal and/or vertical) plumbing is installed. The use of two by six studs (wood or metal) shall be required for new construction and additions (addition of square footage) for both residential and non-residential construction where DWV plumbing is installed.

Secs. 82-38—82-65. - Reserved.

Section 2: That Chapter 82, "Buildings and Building Regulations", Article III "Plumbing Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"Article III "Plumbing Code"

Sec. 82-66. - Adoption.

- (a) Except as provided in this article, the International Plumbing Code, 2018 edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling and apply to ~~in the~~ erection, installation, alteration, repairs, relocation, replacement, addition to, use ~~and~~ or maintenance of plumbing systems within the city limits. One copy of the International Plumbing Code, 2018 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.

- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the City's Code of Ordinances.

Sec. 82-67. - Amendments.

The plumbing code adopted in section 82-66 of this article shall be amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Plumbing Code of the City of La Porte, hereinafter referred to as "this code".

Code Deletions.

The following sections of the 2018 International Plumbing Code are deleted in their entirety.:

Subsection 106.6.2 Fee schedule.

Subsection 106.6.3 Fee refunds.

Section 109 Means of Appeal.

Sec. 82-68. - Plumbing and mechanical contractors; liability insurance requirements.

- (a) No permit shall be issued for any plumbing contract work, as such work is defined within the city codes adopted in sections 82-31 and 82-66 until the plumbing contractor or his employer shall have arranged to carry the following:
 - (1) Workers' compensation insurance on each and every one of his employees as required and in accordance with the provisions of the Workers' Compensation Act of the State of Texas;
 - (2) A certificate of insurance must be:
 - a. Written by a company licensed to do business in this state;
 - b. Provided for commercial general liability insurance for the master plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim; and
 - c. A coverage amount of not less than \$300,000.00 for all claims arising in any one-year period.
- (b) Such insurance shall be written by an accredited company under the supervision of the board of insurance commissioners of the state.
- (c) Evidence of compliance with the above insurance requirements shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the chief building official of the city. Such policy shall include an endorsement thereon that the chief building official will be notified at least ten days in advance in the event of the policy or policies being cancelled or expiring before the expiration date of the license.

Secs. 82-69—82-100. - Reserved.

Section 3: That Chapter 82, "Buildings and Building Regulations", Article IV "Electric Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE IV. - ELECTRICAL CODE

DIVISION 1. - GENERALLY

Sec. 82-101. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice electrician means the holder of an apprentice electrician license.

Electrical work means the installing, maintaining, altering, repairing or erecting of any electrical wiring, apparatus, devices, appliances, fixtures or equipment for which a permit is required under the terms and provisions of the electric code.

Inspector shall mean the chief building official of the city or any of the division construction inspectors under her/his supervision.

Journeyman electrician means the holder of a journeyman electrician license.

Master electrician means the holder of a master electrician license.

Sec. 82-102. - Electrical work to be done only by or under licensed master electrician.

- (a) Except as provided in this article, it shall be unlawful for any person to do electrical work within the city unless such person is a master electrician licensed under the provisions of the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act), or unless such person does such electrical work under the supervision, direction and control of a master electrician licensed under the provisions of said code.
- (b) Nothing in the Electrician's Occupations Code (a.k.a. The Texas Electrical Safety and Licensing Act) shall ever be construed or operate to prevent any person from doing electrical work in or on his property which he owns, where he resides and which he maintains as a homestead. Such homeowner shall not be required to be a licensed electrician but shall otherwise conform to all other requirements of said code. In doing electrical work on his own property, as provided in this subsection, such owner shall not use any hired assistant unless such assistant is duly licensed under the terms of said code.
- (c) Except as provided in subsection (b) of this section, no electrical work shall be performed by any person not the holder of the required license. No person, firm or corporation shall employ any other person for doing electrical work unless such person proposed to be employed is the holder of the proper license.

Sec. 82-104. - Tampering.

- (a) It shall be unlawful for any person to bridge, tamper with or change from its original installation, except upon the approval of the inspector, and then only after a proper permit for alteration has been issued, any fuse of the plug, cartridge type or link type, installed in panel boards, main switches or switchboards, or to alter or change circuit breakers so that the original calibration will be affected, or to tie down or secure any circuit breaker so that it will not function properly.
- (b) It shall be unlawful for any person, in any manner, to interfere with any electrical wiring installed or being installed in, or on, within or without any structure or building. If in the course of erection of a building or structure the wiring is in such position as to interfere with the erection or completion of the

building or structure as called for by the plans, notice shall immediately be given the person installing the wiring and the needed change shall be made by such person.

- (c) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment for the installation of which a permit is required until it shall have received an approval by the inspector.
- (d) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring, apparatus, devices, appliances, fixtures and equipment which have been disconnected by the inspector or the use of which has been ordered by the inspector to be discontinued until approval has been issued by the inspector.

Secs. 82-105—82-150. - Reserved.

DIVISION 2. - RESERVED

Secs. 82-151—82-280. - Reserved.

DIVISION 3. - PERMITS

Sec. 82-281. - Required; exceptions.

- (a) No wiring, poles, duct line, guy anchors, apparatus, devices, appliances, fixtures or equipment for the transmission, distribution or utilization of electrical energy for any purpose shall be installed within the city limits, nor shall any alteration or addition be made in any such existing wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment without first securing a permit therefor from the inspector, except that no permit shall be required for the following:
 - (1) Replacing fuses or lamps or the connection of portable devices to suitable receptacles which have been permanently installed or for repairs to portable appliances.
 - (2) Minor repair work, such as repairing or replacing flush and snap switches, receptacles and lamp sockets, or minor repairs on permanently connected electric apparatus, appliances, fixtures or equipment, or the installation of light globes.
 - (3) The installation, maintenance or alteration of wiring, apparatus, devices, appliances or equipment for telegraph, telephone, signal service or central station protective service used in conveying signals or intelligence, except where electrical work is done on the primary side of the source of power from the power company at a voltage over 50 volts and which generates more than 500 watts of energy.
 - (4) Poles and guy anchors, for the installation, maintenance or alteration of electric wiring, apparatus, devices, appliances or equipment to be installed by an electric public service corporation for the use of such corporation in the generation, transmission, distribution, sale or utilization of electrical energy. However, an electric public service corporation shall not do any wiring on a customer's premises other than wiring which is part of the company's distribution system, nor shall any of its employees do any work other than that done for the company as provided for in this section, by virtue of this exemption.
 - (5) The installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized school in teaching electricity.
- (b) Where no permit is required for the installation or repair of wiring, apparatus, devices or equipment for the transmission, distribution or utilization of electrical energy for any purpose, the wiring, apparatus, devices or equipment shall be installed or repaired in conformity with the provisions of this article.

Sec. 82-282. - Application and issuance.

- (a) The application for a permit shall describe the work to be done and shall be made in writing by a master electrician or his company representative. The permit, when issued, shall be issued to such applicant to cover such work as described and detailed. Any changes or additions must be covered by additional permits at the time changes are made. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installations, as described, will be in conformity with the requirements of this article.
- (b) Reserved.
- (c) Reserved.
- (d) If it is found that the installation, as described, will, in general, conform to the requirements of this article, and if the applicant has complied with all provisions of the ordinances of the city, a permit for such installation shall be issued. The issuance of a permit will not be taken as permission or as a license to violate any of the requirements of this article or any other ordinance of the city.
- (e) The inspector may issue and enforce any rules or regulations he may deem necessary covering the granting of emergency permits, where real emergencies exist.
- (f) Before a permit is issued, fees shall be paid to the city in amounts listed in appendix A of the city's Code of Ordinances.

Sec. 82-283. - Reserved.

Sec. 82-284. - Insurance requirements.

- (a) No permit shall be issued until the master electrician shall have arranged to carry the minimum insurance as required by the Administrative Rules of the Texas Department of Licensing and Regulation, 16 Texas Administrative Code, Chapter 73; Section 73.40.
- (b) Evidence of compliance with the insurance requirements of subsection (a) of this section shall be considered as having been met when a certificate of insurance has been filed with and approved by the city. Such policy shall include an endorsement thereon that the city will be notified at least ten days in advance in the event of the policy being cancelled.

Secs. 82-285—82-305. - Reserved.

DIVISION 4. - INSPECTIONS

Sec. 82-306. - Inspector's responsibilities.

The inspector shall, upon application, cause to be issued permits for the installation and alteration of electrical wiring, devices, appliances, fixtures, apparatus and equipment, and certificates of final approval therefor, and shall be responsible for inspection of all new electrical installations and re-inspections of all electrical installations, all as provided in this article. He shall keep complete records of all permits issued, inspections and re-inspections made, and other official work performed in accordance with the provisions of this article.

Sec. 82-307. - Entry upon private property.

The inspector shall have the right from 7:30 a.m. to 5:30 p.m. (Monday—Friday) or in emergency situations, to enter any building in the discharge of his official duties or for the purpose of making any inspection, reinspection or test of the installation of electrical wiring, apparatus, devices, appliances, fixtures and electrical equipment contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect in cases of emergency any wire where such electrical currents are dangerous to life and property, or where such wires may interfere with the work of the fire department. The inspector is hereby empowered in emergencies to disconnect and to order the discontinuance of electrical service to any electric wiring, apparatus, device, appliance, fixture or equipment found to be dangerous to life or property because of its being defective or defectively installed.

or otherwise not in conformity with the provisions of this article until such wiring, apparatus, device, appliance, fixture and equipment and their installation have been made safe as directed by him/her in conformity with this article.

Sec. 82-308. - Installations to be concealed.

When any part of a wiring installation is to be concealed by permanent placement of parts of a building, the master electrician or authorized representative to whom the permit has been issued shall notify the inspector, provided that on such installation as the concealment or parts of the wiring must, in the discretion of the inspector, necessarily proceed continuously, the master electrician to whom the permit has been issued shall give the inspector due notice, and inspection made periodically during the progress of work. Where, in the discretion of the inspector, it is necessary, he shall post notice upon the premises stating that work has been approved and may be covered, or it is not approved and may not be covered until such further inspection as is necessary has been made. Any person destroying, altering or defacing such notice without the consent of the inspector, shall be deemed guilty of an offense under this section, and any work described in the notice shall be stayed pending the further necessary inspection. Upon the completion of the work that has been authorized by the issuance of a permit, it shall be the duty of the master electrician to whom the permit has been issued to immediately notify the inspector, who shall inspect such installations within three days, exclusive of weekends and holidays, of the time such notice was given.

Sec. 82-309. - Authorization for electrical service.

If the work is found to be in compliance with the provisions of this article, the inspector, subject to the other applicable provisions of this article, shall issue a final approval to the public utility corporation furnishing the electrical service or the person supplying the energy, which approval shall authorize connection of such approved work to the source of energy of the electrical service, the turning on of current and the use of the installation. No connection shall be made until such authorization and final approval is given.

Sec. 82-310. - Reinspection; correction of unsafe conditions.

The inspector shall make, upon information or belief that faulty conditions exist, a thorough reinspection of any electrical wiring, apparatus, devices, appliances, fixtures and equipment now installed or that may hereafter be installed and within the scope of this article, and when the installation of such wiring, apparatus, devices, appliances, fixtures and equipment is found to be at variance with the original permit issued, or to be in a dangerous or unsafe condition, or if it is found that the electrical measuring device has been tampered with so as to create a condition dangerous to the continuity of the electrical service or to property, the person owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, apparatus, devices and equipment in safe condition so as to relieve the hazards created by such unauthorized conditions, and shall have such work completed within ten days, or any reasonably longer period specified by the inspector in the written notice.

Sec. 82-311. - Schedule of fees for inspection.

The master electrician making or supervising installation or alteration of electric wiring, apparatus, devices, appliances, fixtures or equipment, shall pay to the city fees in such amounts as established by the city and listed in appendix A of this Code.

Sec. 82-312. - Reserved.

Secs. 82-313—82-335. - Reserved.

DIVISION 5. - STANDARDS

Sec. 82-336. - National Electrical Code—Adoption.

- (a) Except as provided in this article, the National Electrical Code, 2020 Edition, is hereby adopted as the regulations to govern and to be observed and followed in all electric wiring and in all electrical construction, installation, repair, alteration, operation and maintenance of electric wiring, apparatus and fixtures, except for the amendments adopted in sections 82-337 through 82-350, of this chapter. One copy of the National Electrical Code, 2020 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall be deemed to have committed a class C misdemeanor and upon conviction shall be punished by a fine in an amount as provided in appendix B of this Code.
- (d) All applicable fees shall be in accordance with appendix A of this Code.

Sec. 82-337. - Same—Amendments.

The electrical code adopted in section 82-336 is amended to read as provided in sections 82-338 through 82-350.

Sec. 82-338. - Aluminum conductors.

- (a) Aluminum conductors may not be used in any wiring within residential buildings. However, in residential developments aluminum conductors shall be allowed up to the line side of the meter socket only.
- (b) Aluminum conductors may be used in commercial applications as follows:
 - (1) Outside aerial conductors, and
 - (2) Service entrance conductors.

Sec. 82-339. - Installation of electrical devices.

All electrical devices (including but not limited to outlets and switches) shall be installed with the screw-wrap or approved screw clamp installation. Back or quick stab installation is prohibited.

Sec. 82-340. - Reserved.

Sec. 82-341. - Reserved.

Sec. 82-342. - Wiring within buildings.

Nonmetallic sheathed cable shall be used only for residential work, apartment houses, hotels, motels and similar occupancies equal to and less than three stories in height. Conductors in or on all tile and masonry walls of such buildings shall be encased in rigid conduit, flexible conduit, PVC conduit or electrical metallic tubing. Minimum size nonmetallic sheathed cable shall be limited to No. 12 AWG.

Sec. 82-343—82-347. - Reserved.

Sec. 82-348. - Franchise to install equipment in streets.

No person or public service company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electrical energy, or for the operation of signals or the

transmission of intelligence on, over or under the streets in the city, without first obtaining from the city council a franchise right or grant for the particular installation so desired to be made. Any such installation so made under such franchise or grant shall be in strict conformity with all rules and regulations and ordinances of the city.

Sec. 82-349. - Suspension of approval of materials.

The building codes appeal board (BCAB) may, for the good and justifiable reasons suspend or revoke the approval of certain materials or wiring.

Sec. 82-350. - Prohibition of installation of nonconforming goods.

- (a) No electrical materials, apparatus, devices appliances, fixtures or equipment shall be installed in the city unless they are in conformity with the provisions of this article and the statutes of the state.
- (b) The maker's name, trademark or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures and equipment used or installed under the provisions of this article.

Secs. 82-351—82-380. - Reserved.

Section 4: That Chapter 82, "Buildings and Building Regulations", Article V “Reserved”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

“ARTICLE V. – FUEL GAS CODE

Sec. 82-385. - Adoption.

- (a) Except as provided in this article, the International Fuel Gas Code, 2018 Edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Fuel Gas Code, 2018 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.
- (d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Code Deletions.

The following sections of the 2018 International Fuel Gas Code are deleted in its entirety:

Subsection 106.6.2 Fee schedule.

Subsection 106.6.3 Fee refunds.

Section 109 Means of Appeal.

Section 5: That Chapter 82, "Buildings and Building Regulations", Article VI "Energy Conservation Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE VI. - ENERGY CONSERVATION CODE

DIVISION 1. - GENERALLY

Sec. 82-411. - Purpose.

This article is declared to be remedial and establishes minimum prescriptive and performance-related regulation for the design of energy-efficient buildings and structures for the effective use of energy.

DIVISION 2. - STANDARDS

Sec. 82-412. - Adoption.

- (a) Except as provided in this article, the International Energy Conservation Code, 2018 edition, published by the International Code Council, as amended in section 82-413 of this article or addressed by the energy efficiency regulations of the International Residential Code, 2018 edition, as adopted by section 82-31 of this chapter, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Energy Conservation Code, 2018 edition is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

Sec. 82-413. - Amendments.

The energy conservation code adopted in section 82-412 of this article shall be amended to read as follows:

Section C101.1 Title. This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as "this code".

Section C105.1 General. Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3rd Party).

Section R101.1 Title. This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as "this Code".

Section R105.1 General. Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3rd Party).

Code Deletions.

Sections C105.3 thru C105.7.1 are deleted in their entirety.

Sections R105.3 thru R105.7.1 are deleted in their entirety.

Section 6: That Chapter 82, "Buildings and Building Regulations", Article VII "Mechanical Code", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"ARTICLE VII. - MECHANICAL CODE

Sec. 82-441. - Adoption.

(a) Except as provided in this article, the International Mechanical Code, 2018 edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the International Mechanical Code, 2018 Edition is on file in the office of the city secretary.

(b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.

(c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

(d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.

Sec. 82-442. - Amendments.

Code Deletions.

The following sections of the 2018 International Mechanical Code are deleted in their entirety:

Subsection 106.5.2 Fee schedule

Subsection 106.5.3 Fee refunds

Section 109 Means of Appeal.

Secs. 82-443—82-470. - Reserved."

Section 7: That Chapter 82, "Buildings and Building Regulations", Article XI "Swimming Pools", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall

hereinafter read as follows:

“ARTICLE XI. - SWIMMING POOLS

Sec. 82-631. – Reserved.

Sec. 82-632. Swimming Pool and Spa Code adopted.

- (a) Except as provided in this section, the International Swimming Pool and Spa Code, 2018 edition, published by the International Code Council, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling for the design, construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools, spas, hot tubs and aquatic facilities. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. One copy of the International Swimming Pool and Spa Code, 2018 Edition, is on file in the office of the city secretary.
- (b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.
- (c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.

Sec. 82-633. - Water quality.

- (a) The provisions of this section shall apply to public swimming pools.
- (b) All public swimming pools, as well as wading pools shall maintain water quality at all times consistent with the requirements set forth in this section:
 - (1) *Disinfectant.* There shall be introduced into such pools sufficient disinfectant so as to maintain at all times a free chlorine residual of not less than 1.0 ppm as shown by the standard ortho-tolidine test, which level shall be maintained in all parts of the pool.
 - (2) *Acidity-alkalinity.* The pool water shall be maintained in an alkaline condition so that pH of the water shall not be less than 7.2.
 - (3) *Clarity of water.* The pool water shall be sufficiently clear so that the main drain in the deepest part of the pool is clearly visible from the edge of such pool nearest the drain.
 - (4) *Algae.* Pool water, floors, walls and surrounding decks and overflow gutters shall be kept free of algae.
 - (5) *Bacterial quality.* Not more than 15 percent of samples tested shall show the presence of coliform organisms nor have a plate count of more than 200 bacteria per milliliter.
 - (6) *Recirculation system.* Each public swimming pool shall be equipped with a recirculation system which shall consist of pumping equipment, hair and lint catcher and filters. Wading pools shall be physically separated from swimming pools and shall be served by the swimming pool recirculation system or by a separate system.

Sec. 82-634. - Annual public swimming pool license.

- (a) *Required; application.* It shall be unlawful to establish, maintain or operate a public swimming pool without first securing a public swimming pool license from the inspection services division. Written application for such license must be filed with the inspection services division, and must contain

sufficient information to identify the owners and/or operators of the public swimming pool, the location of such pool, and the name and address of the person seeking the license.

- (b) *Operation without license.* It shall be unlawful for any public swimming pool owner or operator to operate such a swimming pool unless he shall have made application for a public swimming pool license.
- (c) *Validity; fees.* Licenses shall be valid for a period of one year beginning on May 1 of each year and shall be renewable annually during the month of April. The license fee and annual license renewal shall be a sum as established by the city and listed in appendix A of this Code. License fees for licenses issued after May 1 of each license year shall be prorated upon the basis of an amount as established by the city and listed in appendix A of this Code for each elapsed month, or fraction thereof, since May 1 of such year. All license fees shall be nonrefundable.
- (d) *Transferal.* Public swimming pool licenses shall be nontransferable.
- (e) *Inspections.* By the acceptance of the license, the licensee shall be deemed to authorize the inspection of his swimming pool at all reasonable hours. Failure to permit such inspection shall be grounds for suspension or revocation of the license.
- (f) *Inspection results; discrepancies.* Upon each such inspection by the inspection services division, the result of the inspection will be communicated to the licensee. Discrepancies found in the water quality standards, as required by section 82-633, shall be corrected within a time period specified by the building official. If such discrepancy is considered, in the opinion of the building official, to be hazardous to the health and safety of the public, such license may be suspended until the discrepancy is corrected. It shall be unlawful to maintain or allow the use of a public swimming pool during such period of suspension.

Sec. 82-635. Reserved.

Sec. 82-636. Amendments

The International Swimming Pool and Spa Code adopted in section 82-632 of this article shall be amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of the City of La Porte, hereinafter referred to as "this code".

302.6 Wastewater Discharge. Where wastewater from pools or spas, such as backwash water from filter discharges shall drain to a building drainage system and shall be of a connection made through an air gap in accordance with the International Plumbing Code or the International Residential Code in accordance with Section 102.7.1. If water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the International Plumbing Code or the International Residential Code in accordance with Section 102.7.1.

Code Deletions.

The following sections of the 2018 International Swimming Pool and Spa Code are deleted:

Subsection 105.6.2 Fee schedule.

Subsection 105.6.3 Fee refunds.

Section 108 Means of Appeal.

Section 8. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any

provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be shall be fined in a sum not to exceed two thousand dollars.

Section 9. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 10. All other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 11. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 12. This Ordinance shall be effective sixty (60) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the ____ day of _____, 2020.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney



Why La Porte, Texas Should Adopt the International Plumbing, Mechanical and Fuel Gas Codes

TEXAS & THE U.S. CHOOSE THE INTERNATIONAL CODES

The majority of Texas cities adopt the International Plumbing (IPC), Mechanical (IMC) and Fuel Gas Codes (IFGC) for their proven safety, cost effectiveness, correlation to other mandated Texas building codes, including the International Residential Code (IRC), International Building Code (IBC), and International Energy Conservation Code (IECC), as well as for their flexibility, ease of adoption, and consistency with other cities, states and government agencies. **IPC, IMC and IFGC cities include, but are not limited to:**

Dallas, San Antonio, Fort Worth, Bay Town, Deer Park, Kemah, Sugar Land, Pearland, Webster, Friendswood, League City, Shiner, Magnolia, Galveston, Missouri City, Victoria, Conroe, Abilene, Amarillo, Arlington, Bellaire, Belton, Beaumont, Buda, Carrollton, Cedar Park, Cleveland, College Station, Converse, Corpus Christi, El Paso, Freeport, Frisco, Garland, Georgetown, Giddings, Harlingen, Hutto, Jacksonville, Katy, Killeen, Kyle, Laredo, Lubbock, Manvel, Midland, Montgomery, New Braunfels, Plano, Port Aransas, Prosper, Odessa, Richmond, Rock Port, Rosenberg, Round Rock, Salado, San Angelo, Uvalde...

Whereas, Only Eight Texas cities choose to adopt the Uniform Plumbing Code and Uniform Mechanical Code.

Consequences are significant for cities that do not choose the IPC, IMC, and IFGC. **Texas contractors, developers, and manufacturers value predictability over inconsistency.** Those working in Uniform Plumbing and Mechanical Code cities face confusing code challenges and restrictive design choices which cause undue hardship like delayed project timelines, cost re-estimating of labor and materials, and burdensome logistical changes.

Moreover, Texas mandates that cities regulating residential construction shall follow the IRC.¹¹ Texas Attorney General Opinion No. JC-0453 (2002) found that the, "IRC is the residential building code for municipalities in Texas, and its plumbing provisions are the plumbing code for residential construction." **As an example, the City of Houston follows the plumbing provisions of the IRC for residential construction.**¹

- The IPC is in use or adopted in 35 states, the District of Columbia, Guam, and Puerto Rico.
- The IMC is in use or adopted in 46 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands.
- The IFGC is in use or adopted in 41 states, the District of Columbia, Guam, and Puerto Rico.

With the IPC, IMC and IFGC builders, designers, inspectors and contractors may work across jurisdictional, county and state boundaries with conformity and ease.

Consistent & Correlated Codes Aid In Disaster Mitigation

Effective September 1, 2020, the Texas Department of Insurance (TDI) adopted the 2018 editions of the IRC and IBC as the standards for insurance through the Texas Windstorm Insurance Association (TWIA).² La Porte is located in the TDI designated catastrophe area for TWIA coverage. Only the IPC, IMC, and IFGC work cohesively with and reference the TWIA adopted IRC and IBC standards.



FEMA's "Required Minimum Standards" for all FEMA funded construction require the latest I-Codes.³ For post-disaster recovery, **FEMA requires construction meet the latest editions of the IBC, IRC, International Existing Building Code (IEBC), IECC; International Wildland-Urban Interface Code (IWUIC); IPC; IMC; IFGC; International Fire Code (IFC); ICC 500-14, ICC/NSSA Standard on the Design and Construction of Storm Shelters; ICC 600-14, Standard for Residential Construction in High-wind Regions.**⁴ **FEMA has deemed adherence to the current versions of these codes to be so important that it will not fund rebuilding of public facilities post-disaster if that construction deviates.**

Correlation Makes Administrative Sense & Ensures Safety For La Porte

Only the IPC, IMC, and IFGC work cohesively with and reference Texas' mandated building codes, the IRC, IBC and IECC. Non-correlated codes force cities like La Porte to spend many hours of tedious review time and effort drafting numerous local amendments, which may compromise safety, to each of their adopted codes in order to correlate the Uniform Plumbing and Mechanical Codes.

The IPC, IMC, and IFGC are designed to **protect public health and safety** through provisions that **do not unnecessarily increase construction costs or restrict the use of new materials, products or methods of construction**. La Porte's usage of the IPC, IMC and IFGC makes **good safety sense** as well as prudent resource management for the City as it is responsible for safe plumbing, mechanical and fuel gas installations. Coordinated and correlated codes from a single source will **streamline** the building regulatory system in La Porte by bringing consistency and compatibility to multiple layers of requirements existing at the federal, state and local levels.

1. See https://www.publicworks.houstontx.gov/sites/default/files/code_publications/2012_upc_amendments.pdf

2. See <https://www.sos.state.tx.us/texreg/pdf/backview/0320/0320adop.pdf> and <https://www.tdi.texas.gov/news/2020/tdi04032020.html>

3. FEMA Policy 204-078-2.1.

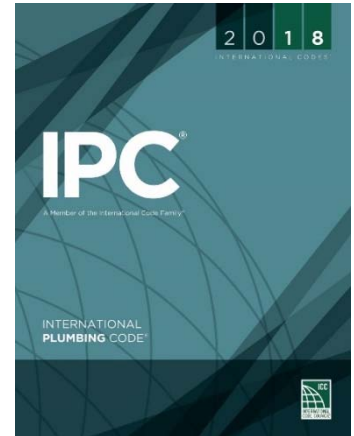
4. FEMA Recovery Interim Policy FP- 104-009-11 Version 2.

The 2018 International Plumbing Code®

Why It Should Be In La Porte's Future

FACTS

- The International Plumbing Code® (IPC®) is in use in 35 states, the District of Columbia and Puerto Rico.
- Approximately 243 million people, 75% of the U.S. population, live in areas that have adopted the IPC.
- In the state of Texas, at least 500 cities use the IPC; these cities represent over 80% of the population of Texas.
- The IPC fully correlates with the other 15 International Codes® (I-Codes®).
- The International Code Council (ICC) updates its construction and public safety codes every three years through a governmental consensus process.
- Within the International Building Code there are 14 direct references to the IPC.



LIFE SAFETY IMPROVEMENTS

- The IPC requires that tempered water (85 – 110 °F) be delivered from public hand-washing facilities. Other model codes limit the water temperature delivered from public-use lavatories to a maximum of 120 °F; this temperature requirement is at a level that poses a potential risk of scald injury within a 3-minute timeframe.
- The IPC roof drain and storm drainage system sizing methodology is based upon published roof drain flow rates. This sizing methodology was developed and tested as part of an ASPE research foundation report. The sizing methodology used in other model codes is based on overall roof area and does not account for the flow rate of the given roof drains; this sizing method can lead to impounding of water on the building structure and lead to roof failures.

COST SAVINGS

- The minimum number of required plumbing fixtures in the IPC will not only correlate with International Building Code as adopted, but further the IPC allows overall fewer plumbing fixtures for numerous building uses.
- The IPC allows the use of air-admittance valves in lieu of typical vent piping installed through the roof of buildings. The use of air-admittance valves will significantly reduce the quantity of vent piping required. The use of air-admittance valves in the Detroit Lions football stadium resulted in construction cost savings of more than \$263,000.
- The IPC allows two-bathroom groups on a single horizontal wet vent, providing greater design flexibility for the design professional and results in additional cost savings.
- The IPC allows waterless urinals with no restrictions. Other model plumbing codes may allow waterless urinals, but they also require water supply piping to each of the waterless urinals that increases construction costs. The waterless urinal is not only a great water conservation tool but is also more sanitary because it is a non-touch plumbing fixture.
- The IPC has allowed combination waste and vent systems for decades. Other codes restrict them only to “where structural conditions preclude the installation of conventional systems”, thus unnecessarily increasing construction costs of the waste system.
- The IPC has allowed siphonic roof drainage technology since 2012. Using this technology results in a typical savings of 20% to 45% from traditional roof drain designs. Siphonic roof drain designs will reduce required pipe sizes, reduce the amount of below-grade drainage and will reduce underground trenching. The horizontal roof drainage piping is level, without grade, easing coordination with other trades.

For more information, contact:

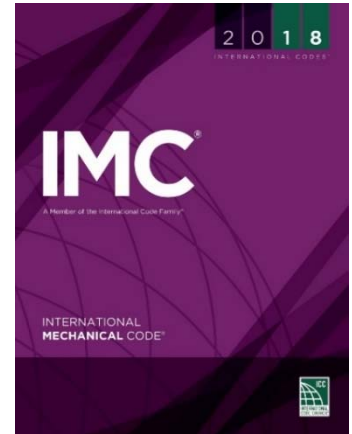
Jim Cika, Director of PMG Resources:
jcika@iccsafe.org
(888).ICC.SAFE, x6241

The 2018 International Mechanical Code®

Why It Should Be In La Porte's Future

FACTS

- The International Mechanical Code® (IMC®) is in use or adopted in 46 states, the District of Columbia, NYC, Guam, Puerto Rico and the U.S. Virgin Islands.
- Approximately 283 million people, 85% of the U.S. population, live in areas that have adopted the IMC.
- In the state of Texas, at least 500 cities use the IMC; these cities represent over 80% of the population of Texas.
- The IMC fully correlates with the other 15 International Codes® (I-Codes®).
- Codes that correlate provide enhanced public safety, improve fire prevention, reduce design problems and reduce construction costs.
- Within the International Building Code there are 59 direct references to the IMC.



LIFE SAFETY IMPROVEMENTS

- There are many code sections that have been incorporated from the IFC and the IBC into the IMC where other model codes can only make a reference to a generic fire or building code term. The correlation of these codes results in enhanced public safety and fire prevention and is a big advantage for designers and installers using the IMC.
- The IMC Section 304.11 has set the highest standard for many years in workers safety by requiring guards be provided when service and roof hatch openings are located within 10 feet of a roofs edge or open side of a walking surface and such edge or open side is located more than 30 inches above the floor, roof, or grade below. Other model codes allow service and roof hatch openings to be located within 6 feet of a roofs edge or similar hazard. The IMC requirement results in enhanced safety for workers with decreased risk of injury due to falls.
- The IMC provides complete guidance regarding the installation of subslab soil exhaust systems. Other model codes do not, which may lead to increased risk of health or safety issues.
- The IMC provides complete sections on common exhaust systems for both domestic kitchens and domestic clothes dryers. Other model codes do not address these types of systems; the lack of coverage may result in an increased risk of health or safety issues.
- The IMC provides a complete section on common clothes dryer exhaust systems and references the IBC for shaft enclosure requirements. Other model codes only touch a few of the items of relevance to this type of exhaust system; they fail to address the following: 1. offsets, 2. having the exhaust fan motor outside of the exhaust air-stream, 3. requiring a standby power source, and 4. complete monitoring and notification systems if the system fan is not operational. The lack of coverage in other model codes may result in an increased risk of safety issues.
- The IMC allows a fastener protrusion of 1/8 inch or less to connect sections of dryer duct, which will provide improved duct construction with no detriment to performance or safety. Other model codes give no relevant fastening method for a dryer duct installation, while prohibiting the use of any screw or rivet which will protrude into the inside of the duct. If dryer exhaust ducts are not allowed to be mechanically fastened, the only method to prevent separation of joint is duct tape; the lack of coverage may result in an increased risk of safety issues.

For more information, contact:

Jim Cika, Director of PMG Resources:
jcika@iccsafe.org
(888).ICC.SAFE, x6241

The 2018 International Fuel Gas Code®

Why It Should Be In La Porte's Future

FACTS

- The International Fuel Gas Code® (IFGC®) is in use or adopted in 41 states, the District of Columbia, New York City, Guam, and Puerto Rico.
- Approximately 266 million people, 82% of the U.S. population, live in areas that have adopted the IFGC.
- In the state of Texas, at least 500 cities use the IFGC; these cities represent over 80% of the population of Texas.
- The IFGC fully correlates with the other 15 International Codes® (I-Codes®).
- Within the International Building Code there are 8 direct references to the IFGC.

LIFE SAFETY IMPROVEMENTS

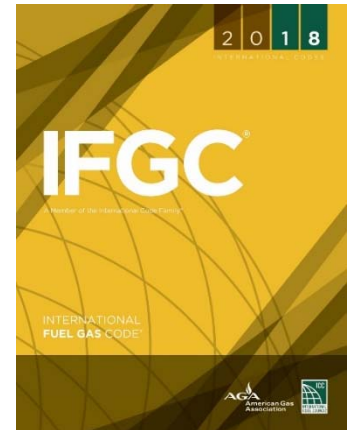
- The IFGC provides coverage on the installation of gaseous hydrogen systems, while also correlating with Chapters 53 and 58 of the International Fire Code. Other model codes lack any guidance on these installations.
- The IFGC provides guidance for compressed natural gas motor vehicle fuel dispensing facilities while correlating with the IFC. Code correlation is not just about proper numeration of sections. Consideration must be given to the inter-relationship between technical safety provisions. Other model codes cannot provide this feature.
- The IFGC allows the installation of gas fired clothes dryers in a residential bathroom or toilet room having a permanent opening of not less than 100 square inches that communicates with a space outside of the sleeping room, bathroom, toilet room, or storage closet. This is an extra safety requirement that other model codes do not provide.
- Code Correlation Committees analyze the entire family of codes. Other model codes have no such strict studies nor is there a committee that analyzes and compares the safety provisions of other model codes in accordance to the I-Codes.
- The IFGC does not allow fuel gas piping to penetrate the foundation walls when the piping is installed below grade. There have been several incidents within the United States where fires or explosions have occurred as the result of a fuel gas leak that originates underground and made its way into the building. Other model codes allow underground penetration of a foundation wall through a sleeve.

COST SAVINGS

- The IFGC allows Schedule 10 steel pipe to be used for fuel gas service when joints are made using press-connect fittings, flanges, brazing or welding. Other model codes do not allow the use of pipe thinner than Schedule 40. The IFGC allowance of Schedule 10 steel pipe results in a significant potential cost savings.
- The IFGC mandates compliance of its HVAC systems in all structures being designed for efficient utilization of energy in accordance with the IECC, a nationally recognized energy code. No other fuel gas code has this type of mandate.
- Chapter 24 of the International Residential Code (IRC) contains fuel gas provisions that are directly extracted from the IFGC. Severing the IFGC, or any other code from the body of I-Codes, could cause potential conflicts and technical safety provision lapses that would lead to losses in money, property and most importantly, public safety.
- The structural Safety requirements in the IBC are also included in the IFGC which is a huge advantage to the code user. In other model codes, structural safety is referred to a generic "Building Code" term.

For more information, contact:

Jim Cika, Director of PMG Resources:
jcika@iccsafe.org
(888).ICC.SAFE, x624

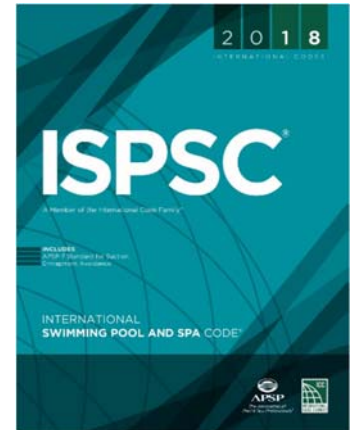


The 2018 International Swimming Pool and Spa Code®

Why It Should Be In La Porte's Future

FACTS

- Effective September 1, 2020, Texas House Bill 2858 mandates the International Swimming Pool and Spa Code® (ISPSC®), promulgated by the International Code Council, as the municipal swimming pool and spa code in Texas and applies to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in a municipality that elects to regulate pools or spas. A municipality may establish procedures for the adoption of local amendments to the ISPSC and the administration and enforcement of the ISPSC.
- There is no other Code or Standard that addresses all design and construction aspects of residential and public pools and spas.
- While most states and local jurisdictions have some form of an existing public pool code, most lack a comprehensive code or laws that address the design, construction and safety of residential pools, which is where most pool related injuries occur.
- The ISPSC is derived from, and fully supported by the ANSI/APSP national consensus standards which have been developed under the essential requirements of the American National Standards Institute (ANSI). These standards achieve final determination by a balanced panel of recognized experts including representatives of public health departments, independent testing facilities, the National Safety Council and the U.S. Consumer Product Safety Commission.
- The ISPSC provides Virginia Graeme Baker Act compliance by reference to APSP-7.
- The American Hotel & Lodging Association (AH&LA) and its member organizations support the adoption of the latest edition of the ISPSC.



COST SAVINGS

- The ISPSC has taken a bold step forward in energy conservation by referencing the *ANSI/APSP-14, Standard for Portable Electric Spa Energy Efficiency* and the *ANSI/APSP-15, Standard for Residential Swimming Pool and Spa Energy Efficiency*. These standards meet or exceed all of the requirements of California's Title 24 energy initiatives for pools and portable spas. Energy savings results in lower electric bills.
- The ISPSC contains barrier, decking and light provisions coordinating with the IBC.
- The ISPSC requires portable spas be certified to latest industry standards eliminating the need to inspect inaccessible components. The result is money saved.
- The ISPSC is available in print and electronic form. There is also a free online view only version.
- As a result of the development of the ISPSC, we now have one document that is placed in the hands of code officials, design professionals, contractors, home owners, building owners, manufactures and other pool and industry representatives that addresses the entire built environment of a pool, spa, and aquatic facility. This will expedite and simplify the construction of pool, spas, and aquatic facilities resulting in cost savings.
- Accessibility within public pools and spas are correlated with the International Building Code which assist the designer.

For more information, contact:

Jim Cika, Director of PMG Resources:
jcika@iccsafe.org
(888).ICC.SAFE, x6241

AN ACT

relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter C, Chapter 214, Local Government Code, is amended to read as follows:

SUBCHAPTER C. SWIMMING POOLS AND SPAS [~~POOL ENCLOSURES~~]

SECTION 2. Subchapter C, Chapter 214, Local Government Code, is amended by adding Section 214.103 to read as follows:

Sec. 214.103. INTERNATIONAL SWIMMING POOL AND SPA CODE.

(a) In this section, "International Swimming Pool and Spa Code" means the International Swimming Pool and Spa Code promulgated by the International Code Council.

(b) To protect the public health, safety, and welfare, the International Swimming Pool and Spa Code, as it existed on May 1, 2019, is adopted as the municipal swimming pool and spa code in this state.

(c) The International Swimming Pool and Spa Code applies to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in a municipality that elects to regulate pools or spas, including under Section 214.101.

(d) A municipality may establish procedures for:

(1) the adoption of local amendments to the International Swimming Pool and Spa Code; and

1 (2) the administration and enforcement of the
2 International Swimming Pool and Spa Code.

3 (e) A municipality may review and adopt amendments made by
4 the International Code Council to the International Swimming Pool
5 and Spa Code after May 1, 2019.

6 SECTION 3. This Act takes effect September 1, 2020.

H.B. No. 2858

President of the Senate

Speaker of the House

I certify that H.B. No. 2858 was passed by the House on May 9, 2019, by the following vote: Yeas 131, Nays 5, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2858 on May 23, 2019, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2858 on May 26, 2019, by the following vote: Yeas 136, Nays 6, 2 present, not voting.

Chief Clerk of the House

H.B. No. 2858

I certify that H.B. No. 2858 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2858 on May 25, 2019, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor



MESA MECHANICAL

HVAC / ENERGY MANAGEMENT / REFRIGERATION / PLUMBING

3514 Pinemont, Houston, Texas 77018 713-681-5300 * Fax: 713-681-6675 TACLA 44328C MPL 38021

Mayor Luis Rigby
La Porte City Council
604 W Fairmont Parkway
La Porte, TX 77571

August 14, 2020

To the Honorable Mayor Rigby,

We at Mesa Mechanical Inc. provides this letter in support of the City of La Porte's adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the addition of the International Plumbing Code, the International Mechanical Code and the International Fuel Gas Code to the currently adopted International Residential Code, International Building Code, International Fire Code, and the International Energy Conservation Code.

Mesa Mechanical Inc. is a mechanical and plumbing contractor doing work in Houston and the surrounding Cities of the area. The International Codes are adopted by many of the Cities of the area. This is a benefit to Our Mechanics and Installers to know one code as they would move from jurisdiction to jurisdiction in the Greater Houston area. Mesa also does work in other municipalities of Texas and they too are enforcing the International codes thus making it a more consistent installation from City to City. This consistency from City to City allows for less issues with the code discrepancy from the cities we work in and a consistent product throughout the area.

Mesa Mechanical Inc. encourages and supports the City of LaPorte adopting the International Mechanical, Plumbing and Fuel Gas Codes as Their Code enforcement standards so there is an more consistence use of one Code throughout the state of Texas.

We hope our position is met with your acceptance and encouragement, and we welcome the opportunity for further dialogue or feedback with the La Porte City Council regarding the matter.

Best regards,

Joel Eggebrecht

Mesa Mechanical Inc.

Vice President of Plumbing Operations



La Porte City Council
Mayor Luis Rigby and City Council Members
604 W Fairmont Parkway
La Porte, TX 77571

August 10, 2020

Mayor Rigby and City Council Members

On behalf of Smart Vent Products, Inc, I write this letter in support of the City of La Porte's adoption of the International Code Council (ICC) family of construction codes (the I-Codes). The addition of the International Mechanical Code, International Plumbing Code, and International Fuel Gas Code will strengthen and compliment the currently adopted and enforced International Residential Code, Building Code, Fire Code, and Energy Conservation Code.

Smart Vent provides a state-of-the-art line of engineered foundation flood vents for homes and buildings constructed in the La Porte Special Flood Hazard Area. Our products are all evaluated through the International Code Council Evaluation Service (ICC-ES). The ICC-ES is a subsidiary of the ICC and puts products through rigorous performance testing and quality checks before providing an Evaluation Report which is their stamp of approval for the industry to reference. This process is just another example of how the ICC conducts careful development of their I-Codes. New versions of the I-Codes are released every three years, a result of certified code experts from across the country analyzing best practices and approaches to ensure the Health, Safety, and Welfare of the public.

Our company provides floodplain construction training courses to the architect and design community. Our courses are approved through the American Institute of Architects (AIA) and the I-Codes are at the base of our education sessions. FEMA has recognized and references the I-Codes in their studies and guidelines. They strongly encourage the use and continuous adoption of newest versions of the I-Codes being published. Overall from a floodplain perspective, our company has seen that when the I-Codes are adopted and enforced, structures meet and exceed all FEMA and NFIP requirements resulting in lower flood insurance premiums for the property owner.

Smart Vent Products, Inc strongly encourages the City of La Porte to adopt the International Mechanical Code, International Plumbing Code, and International Fuel Gas Codes along with all versions of the I-Code family.

Thank you,

A handwritten signature in black ink, appearing to read 'Tom Little'.

Tom Little, CFM, CGP
Executive Vice President | Smart Vent Products Inc

SMART VENT PRODUCTS, INC.

Sales Office 430 Andbro Drive, Unit 1 · Pitman, NJ 08071
info@smartvent.com

Office: (877) 441-8368 · Fax: (856) 269-4465
www.smartvent.com





05 August 2020

The Honorable Luis Rigby
Mayor of La Porte, TX
604 W Fairmont Parkway
La Porte, TX 77571

Mayor Rigby:

The South-central Partnership for Energy Efficiency as a Resource (SPEER) is providing this letter in support of the City of La Porte adoption of the I-Code (International Code Council) family of building codes, including the International Plumbing Code and the International Mechanical Code. These codes will build upon and add consistency of code development, adoption and interpretation.

The International Code Council is largest code development body in the U.S. with more than 65,000 members including Building Officials, Inspectors, Plan Reviewers as well as representatives of trade organizations representing home builders, contractors, materials manufacturers and suppliers. The I-Codes are developed and updated through an in-depth process of proposals, comments, hearings and final voting by the officials responsible for ensuring compliance with the codes. This results in codes that are effective, promote health, safety and efficiency in building practices, and are enforceable by the code officials charged with ensuring such compliance. Most importantly, the I-Codes are a family of codes that are developed to maintain consistency among and between the various code families. This consistency is the foundation of effective design, construction and compliance and should be maintained across a jurisdiction's adopted codes.

SPEER is the U.S. Department of Energy recognized Regional Energy Efficiency Organization supporting energy and building code education, adoption and compliance throughout Texas and Oklahoma. SPEER has provided more than 12,000 hours of ICC certified continuing education training to code officials, builders and contractors and in conjunction with our network of 35 volunteer Energy Code Ambassadors, acts as a resource for jurisdictions and individuals seeking information about energy code compliance in the region.

Thank you for the opportunity to support the City of La Porte in this process. Feel free to contact SPEER at any time regarding this or any other issue.

All the best,

Todd

Todd B. McAlister
Executive Director
SPEER



AIA
Houston

August 26, 2020

La Porte City Council
Mayor Luis Rigby and City Council
604 W Fairmont Parkway
La Porte, TX 77571

Dear Mayor Luis Rigby and City Council Members:

The AIA Houston Board of Directors provides this letter in support of the City of La Porte's adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the addition of the International Mechanical Code, International Plumbing Code, and International Fuel Gas Code to the currently adopted International Residential Code, International Building Code, International Fire Code, and the international Energy Conservation Code.

The American Institute of Architects

AIA Houston
902 Commerce St
Houston, TX 77002

☎(713) 520 0155

aiahouston.org

The international Code Council is a global membership body of over 64,000 members dedicated to coordinated building and fire safety. ICC codes are carefully developed and regularly updated by a consortium of certified code experts along with design and industry representatives. The level of confidence that the codes inspire have resulted in the adoption of the ICC codes across the nation at most jurisdictional and state levels, as well as many other Global markets.

The City of La Porte is within AIA Houston's service area and the architects doing work in the City of La Porte are primarily AIA Houston members. The general membership of the AIA Houston is well versed in the requirements of the I-Codes and considers them an essential component of protecting the Health, Safety, and Welfare of the public. In Addition to the practice of architecture in the City of La Porte, many of our members regularly practice at a regional, national, and global level, and have found that the widespread adoption of the I-Codes yields advantages in cross-discipline design coordination, construction documentation efficiency, and an infused confidence in the quality of the constructed product without regional limitation.

We hope our position is met with your acceptance and encouragement, and we welcome the opportunity for further dialogue or feedback with the City of La Porte regarding this matter.

Best Regards,

Chris Royster, AIA
President, AIA Houston



2455 Paces Ferry Rd., Atlanta, GA 30339

August 26, 2020

La Porte City Council
Mayor Luis Rigby and City Council Members
604 W Fairmont Parkway
La Porte, TX 77571

Re: Support of I-Code adoption in La Porte Texas.

Dear Mayor & Council Members,

I am writing to express support, on behalf of myself and The Home Depot, for adopting the International Plumbing, Mechanical, and Fuel Gas Codes for use in the city of La Porte.

The reason is simple. The International Code requires no correlating committee changes, or interpretation, in order to mesh the adopted plumbing, mechanical, and fuel gas codes with the International Building Code, International Residential Code, and the International Energy Conservation Code as currently adopted by your city. There is no need to seek interpretation from local inspectors to resolve differences between the building code and the plumbing or mechanical codes during construction. Local Inspectors don't have the available time, especially when rebuilding after natural disasters.

While 2006 or later versions of the IBC, IRC, and IECC are required to be adopted by SECO & TDI (including Texas revisions for windstorms) every city in Texas is free to adopt either of the available Mechanical & Plumbing codes. As a licensed mechanical contractor in three states and a licensed master plumber in eleven, Texas is the only state for which I am held responsible to comply with two separate sets of codes for the same trade .

In our state, only eight cities continue to adopt the Uniform codes, half of those being concentrated in the Houston area. I personally grew up in the plumbing business using the Uniform code and understand the loyalty for this code. After the consolidation of BOCA, ICBO, and SBCCI into the ICC it seemed to us like something new. On the other hand the Uniform Codes seemed more familiar and included installation standards (IS) referenced in the code. These standards were adopted as part of the code, with the other referenced standards. The Uniform code also had a special place, chapter 14 in the UPC or chapter 17 of the UMC where all referenced standards were listed and included in adoption with the code. This separation of the Standard from their applicable chapters always created confusion among the trades persons.

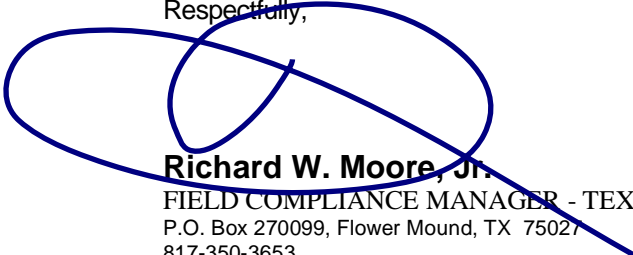
As IAPMO began marketing their code in Asia and the Pacific, establishing seven overseas offices including China & India, they transitioned the Uniform codes to include the referenced standards within the section to which they applied, like NFPA and ICC. They also began removing many of the Installation Standards (IS) from the appendix. In essence removing the one reason that we loved about the Uniform Code. Now it's almost like the other codes.

LICENSES:

TEXAS - TACLA1574C / ME137170 / EC24447 / JE127673 / RAI411592 / RB3481 / WT4195 / LI18140 / BP14802 / M-16451 - RMP - Medical Gas - WSPS
ARKANSAS - MP6616, FLORIDA - CAC1813767 / CFC1426021, HAWAII - CT30305, ILLINOIS - 058-169244, LOUISIANA - LMP6987 / LNGF9285,
MINNESOTA - 93716-PM / AM729239 / EA731567, MISSOURI - St. Louis County P9828 / Springfield BTC-9073, MONTANA - ELE-EM-LIC-31718, NEW MEXICO - 395464,
NORTH DAKOTA - MP1638 / M3759, OKLAHOMA - OK-106339, SOUTH DAKOTA - FLM-TX-R1108-16-1965C / JM 6916 / EC 3363. WASHINGTON - MOOREJR934LN / MOORERW833PS
US EPA Certified Renovator: R-R-18396-15-00031

As a Home Rule State any municipality, Utility District, or public water system may amend their adopted codes to conform to local concerns that do not substantially vary from the TDLR's rules, or other Statutes and Rules of other agencies in Texas. Governmental entities amend the ICC all the time. Even the new state law prohibiting the exclusion of any approved materials from the code, has no effect since both ICC & IAPMO approve the same materials to the same standards. For these reasons, it makes good administrative sense for the International Mechanical Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code to serve as the sole trades codes in Texas Cities. I request that the council support the decision of your local appeals board.

Respectfully,



Richard W. Moore, Jr.
FIELD COMPLIANCE MANAGER - TEXAS
P.O. Box 270099, Flower Mound, TX 75027
817-350-3653

rick_moore@homedepot.com

LICENSES:

TEXAS - TACLA1574C / ME137170 / EC24447 / JE127673 / RAI411592 / RB3481 / WT4195 / LI18140 / BP14802 / M-16451 - RMP - Medical Gas - WSPS
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US EPA Certified Renovator: R-R-18396-15-00031



**POOL &
HOT TUB**
ALLIANCE

**GREATER HOUSTON
CHAPTER**

154 Evans Terrace – Montgomery, Texas 77316 – 936.444.6940

August 5, 2020

Mayor Luis Rigby
La Porte City Council
604 W Fairmont Parkway
La Porte, TX 77571

July 29, 2020

To the Honorable Mayor Rigby and Honorable Members of the La Porte City Council,

The Pool & Tub Alliance Houston Chapter (PHTA Houston) writes in support of the City of La Porte's adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the adoption of the 2018 International Swimming Pool and Spa Code (ISPSC).

The ISPSC is the only comprehensive swimming pool code coordinated with the I-Codes and PHTA standards. The ISPSC contains minimum regulations for public and residential pools, spas and hot tubs using prescriptive and performance related provisions.

The International Code Council is a global membership body of 64,000 members dedicated to coordinated building and fire safety. ICC codes are carefully developed and regularly updated by a consortium of certified code experts along with design and industry representatives. The level of confidence that the codes inspire have resulted in the adoption of ICC codes across the nation at most jurisdictional and state levels, as well as many other global markets.

The Pool & Hot Tub Alliance represents more than 3,400 business members that work within the swimming pool and hot tub industry, including manufacturers, builders, retailers, and servicers. The general membership of PHTA Houston is well versed in the requirements of the ISPSC and considers adoption of the code as essential to ensuring the health and safety of consumers. Moreover, adoption of the ISPSC will ease the burden on industry members by providing them with a reasonable, comprehensive code which they can utilize in their work.

PHTA Houston supports the city of La Porte's adoption of the 2018 ISPSC, and we stand ready to assist the La Porte City Council with the adoption process. Should you have questions or require assistance, please contact PHTA's Senior Manager of Government Relations, Grason M. Wiggins, Esq. at gwiggins@phta.org.

Sincerely,

PHTA Houston Chapter

Thom Blumenkamp, CBP
Executive Director

Mayor Luis Rigby
La Port City Council
604 W Fairmount Parkway
La Porte TX, 77571



Disaster Durable Solutions™

August 24, 2020

To the Honorable Mayor Rigby,

BASF Corporation provides this letter in support of the City of La Porte's adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the addition of the International Plumbing Code, the International Mechanical Code and the International Fuel Gas Code to the currently adopted International Residential Code, International Building Code, International Fire Code, and the International Energy Conservation Code.

The International Code Council is a global membership body of 64,000 members dedicated to coordinated building and fire safety. ICC codes are carefully developed and regularly updated by a consortium of certified code experts along with design and industry representatives. The level of confidence that the codes inspire have resulted in the adoption of ICC codes across the nation at most jurisdictional and state levels, as well as many other global markets.

BASF considers I-Codes an essential component of protecting the Health, Safety, and Welfare of the built environment. In addition to the practice of building in La Porte, many of our members regularly practice at a regional, national, and global level, and have found that the widespread adoption of the I-Codes yields advantages in cross-discipline design coordination, construction documentation efficiency, and an imbued confidence in the quality of the constructed product without regional limitation.

We hope our position is met with your acceptance and encouragement, and we welcome the opportunity for further dialogue or feedback with the La Porte City Council regarding the matter.

Sincerely,

Joel W. May - Disaster Durable Solutions®
BASF Corporation
586.801.0250
joel.may@basf.com

Ron Heidt - Business Development
BASF Corporation
704.307.8468
ron.heidt@basf.com

BASF - We create chemistry, 1703 Crosspoint Ave., Houston, TX 77054, United States
BASF Disaster Durable Solutions® <http://www.spf.basf.com/dds>
BASF Building with Polyurethanes <http://spf.basf.com/buildingwithpolyurethanes>
BASF Construction <http://construction.basf.us>



August 10, 2020

The Honorable Luis Rigby
Mayor
La Porte, Texas
604 W Fairmont Parkway
La Porte, TX 77571

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Hines

Steven Seltzer
Howard Hughes
Management Services
Company, LLC

AP Representative

Lacey Withers
ABM Janitorial Services

Dear Mayor Rigby:

The Houston BOMA Board of Directors supports the adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the addition of the International Mechanical Code and the International Plumbing Code to the currently adopted International Residential Code, International Building Code, International Fire Code, and the International Energy Conservation Code within the City of Houston and all other municipalities in Texas.

The International Code Council is largest code development body in the U.S. with more than 65,000 members including Building Officials, Inspectors, Plan Reviewers as well as representatives of trade organizations representing home builders, contactors, materials manufacturers and suppliers. The I-Codes are developed and updated through an in-depth process of proposals, comments, hearings and final voting by the officials responsible for ensuring compliance with the codes. This results in codes that are effective, promote health, safety and efficiency in building practices, and are enforceable by the code officials charged with ensuring such compliance. Most importantly, the I-Codes are a family of codes that are developed to maintain consistency among and between the various code families. This consistency is the foundation of effective design, construction and compliance and should be maintained across a jurisdiction's adopted codes.

The general membership of Houston BOMA is well versed in the requirements of the I-Codes, and considers them an essential component of protecting the health, safety, and welfare of the public. Many of our members also do business at a regional, national, and global level, and have found that the widespread adoption of the I-Codes yields advantages in cross-discipline design coordination, construction documentation efficiency, and an imbued confidence in the quality of the constructed product without regional limitation.

We are providing this letter in support of the City of La Porte adoption of the I-Code (International Code Council) family of building codes, including the International Plumbing Code and the International Mechanical Code. These codes will build upon and add consistency of code development, adoption, and interpretation.

Thank you for the opportunity to support the City of La Porte in this process.

Kind regards,

Tammy K. Betancourt, CAE
CEO and Executive Vice President



August 17, 2020

Mayor Luis Rigby
City of La Porte
604 W. Fairmont Parkway
La Porte, Texas 77571

To the Honorable Mayor Luis Rigby,

Kilgore Industries, L.P. is a local privately held MEP Commercial Specialty Contractor operating in Texas, Louisiana, and New Mexico with over 800 employees. We are providing this letter of support for the City of La Porte's consideration of the adoption of the International Code Council (ICC) family of codes (I-Codes). Specifically, the addition of the International Plumbing Code, the International Mechanical Code and the International Fuel Gas Code to the currently adopted International Residential Code, International Building Code, International Fire Code, and the International Energy Conservation Code.

We find ICC codes are carefully developed, fully coordinated and regularly updated by a consortium of certified code experts along with design and industry representatives. This is very helpful as we cover a tri-state area where the adoption of I-Codes ensures consistency with inspections, training, design, constructability, health and safety.

We welcome the opportunity for further dialogue or feedback with the La Porte City Council regarding the matter.

Sincerely,

Ken Kilgore, Sr.

Ken Kilgore, Sr.
Executive VP
Kilgore Industries, L.P.
c. 713.516.3565
kkilgoresr@kilgoreind.com



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VICE PRESIDENT

Brett King, C.B.O.
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**SECOND PAST PRESIDENT AND
TML BOARD REPRESENTATIVE**

Selso Mata
Chief Building Official
City of Plano
972-941-7212
selsom@plano.gov

August 4, 2020

Mayor Luis Rigby
La Porte City Council
604 W Fairmont Parkway
La Porte, TX 77571

To the Honorable Mayor Rigby,
The Building Officials Association of Texas (BOAT) would like to extend our support to the City of La Porte in their efforts to adopt the 2018 International Plumbing, Mechanical, Fuel Gas and Swimming Pool and Spa Codes.

BOAT is dedicated to enhancing the professionalism of its members, advancing the standards of the building industry, and leading in the resolution of public policy issues. We seek to establish higher standards of uniformity and efficiency in administering and enforcing model building codes and related ordinances. Promoting adoption of the ICC codes is consistent with our mission and pursuit of practical use of code knowledge for modern building materials and technology. Consequently, it is no surprise that across the nation at most jurisdictional and state levels and at the General Services Administration (GSA) of the United States government, that all of the International Codes are adopted and utilized.

We encourage the City of La Porte to continue its pursuit of full adoption of all the ICC codes as they represent the most up to date building science to construct safe, sustainable, affordable and resilient structures.

Sincerely,

A handwritten signature in blue ink that reads "J. Widmer".

Jeffrey Widmer
President, Building Officials Association of Texas



July 29, 2020

Mayor Luis Rigby
LaPorte City Council
604 W. Fairmont Parkway
LaPorte, TX 77571

To the Honorable Mayor Rigby:

On behalf of the Board of Directors of the Associated General Contractors (AGC) – Houston Chapter, I am providing this letter in support of the City of LaPorte's adoption of the International Code Council (ICC) family of codes.

AGC Houston has been the leading commercial construction association in Harris and the surrounding 23 counties for more than 90 years. A significant part of our mission has been and continues to be to work collaboratively with owners and other members of the A/E/C community to deliver the best structures in the timeliest of manner. It is our belief that the adoption of a single set of codes, codes that have been developed by experts in the various trades, is directly in line with this mission.

It is a privilege to be a part of an industry that has the opportunity to shape and construct the buildings in a region such as ours. However, along with these opportunities comes a duty: of the contractor to meet the specified safety and functional standards as directed and of the city to have a process that allows the structures to go online as soon as possible. AGC Houston believes adopting the ICC codes would greatly help the contractor and the City of LaPorte meet those duties.

Please feel free to reach out to me if you have any questions or would like to discuss further.

Sincerely,

Jerry Nevlud
President/CEO
Associated General Contractors – Houston Chapter

Bringing people together to advance the issues important to the commercial construction industry.



August 26, 2020

Mayor Luis Rigby
City of La Porte
City Hall
604 W Fairmont Parkway
La Porte, TX 77571

RE: Support of the City of La Porte's adoption of the International Code Council Codes

Dear Mayor Rigby:

On behalf of the nearly 1,500 member companies of the Greater Houston Builders Association (GHBA), I am offering this letter in support of the City of La Porte's adoption of the International Code Council (ICC) family of codes. Specifically, the addition of the International Plumbing Code and the International Mechanical Code.

The International Code Council is a global membership body of 64,000 members dedicated to coordinated building and fire safety. ICC codes are carefully developed and regularly updated by a consortium of certified code experts along with design and industry representatives.

We believe that reasonable code requirements are important for health and safety. In addition to building in La Porte, our members operate in cities throughout our region and any consistency that can be provided by having similarly adopted codes can help maintain housing affordability in the Greater Houston area.

We appreciate the opportunity to provide feedback. Please let me know if you have any questions or if we can provide more information.

Sincerely,

Bradley Pepper
Director of Government Affairs
Greater Houston Builders Association



Houston Apartment Association

August 3, 2020

Mayor Louis Rigby
City of La Porte
604 W. Fairmont Parkway
La Porte, TX 77571

Dear Mayor Louis Rigby,

I'm writing on behalf of the Houston Apartment Association, a non-profit trade association representing apartment owners and managers throughout Harris County and the surrounding area.

Thank you for considering adoption of the International Code Council family of codes. Apartment builders and operators have used these codes in jurisdictions throughout the United States over many years, and have found them to be clearly written and - more importantly- well coordinated to each other. Having La Porte's plumbing and mechanical codes match up with the city's other codes will make following the codes far less confusing for consumers and should make enforcement easier for the city.

The International Code Council has a global membership body of 64,000 members dedicated to coordinated building and fire safety. ICC codes are carefully developed and regularly updated by a consortium of certified code experts along with design and industry representatives. The vast majority of Texas cities use the ICC Codes, and a consistent set of code requirements makes it much easier for builders and operators that work in multiple jurisdictions.

I hope that HAA can be a resource to you on this issue and we welcome the opportunity for further dialogue on this issue or on any others where we can be of service.

Sincerely,

Lauren Turner

Lauren Turner, CAE, CMP
Assistant Vice President – Outreach
Houston Apartment Association



August 6, 2020

Mayor Luis Rigby
La Porte City Council
604 W Fairmont Parkway
La Porte, Texas 77571

To the Honorable Mayor Rigby:

Speaking as the Principal – Building Regulatory Strategy on behalf of the Target Corporation, I am pleased that La Porte Texas is considering the renewed adoption of the International Code Council (ICC) family of codes (I-Codes). For AHJ's and owners alike; there are significant advantages to using the International Codes starting from the feasibility phase through design, permitting, construction, inspection, occupancy and building maintenance. Use of the International Codes means everyone is using the same complete set of comprehensive, coordinated codes for all aspects of construction.

While renewed adoption of the I-Codes is significant; I am concerned this historic code adoption process remains incomplete without a full, objective analysis and comparison of the complete family of International Building Codes, specifically the International Plumbing Code (IPC), International Mechanical Code (IMC) and the International Fuel Gas Code (IFGC) by all the stakeholders this code applies to.

Like many national owners and developers of commercial real estate; Target uses a facility prototype business model to develop its properties. The prototype strategy relies on uniformity of regulatory requirements to minimize initial construction costs, support aggressive construction schedules and promote the use of building materials consistent with providing safe, sustainable, resilient and healthy environments for our Guests and Team Members. The prototype is designed to meet criteria set forth in the ICC family of building codes so that properties may be developed efficiently and effectively across multiple states and in communities across the nation. Model codes keep construction costs down by establishing uniformity in the construction industry including means and methods that allow developers to do business on a larger scale resulting in cost savings.

Specifically, the IPC, IMC and the IFGC are designed to protect public health and safety through provisions that do not unnecessarily increase construction costs or restrict the use of new materials, products or methods of construction. No preferential treatment is specified to particular types of classes or materials, products, or methods of construction. In comparison, the UPC limits or restricts the use of building products and plumbing, mechanical and fuel methodologies. Adopting the entire family of I-Codes would be a natural fit toward coordinated construction codes in La Porte Texas.



There are numerous benefits for AHJ's as well including more efficient use of resources in plan review, inspection, and eliminates the high cost and complexity of drafting local amendments to each adopted code in order to reference non-correlated codes such as the UPC. Adopting a single family of codes written, reviewed and amended through a governmental consensus process and all jurisdictions benefit from code uniformity that encourages local, affordable construction growth. The I-Codes support public safety and the need for one set of codes without regional limitations.


Last year I reached out to the Chairman and Members of the Texas Senate Committee on Business and Commerce on behalf of Target; strongly encouraging the State of Texas to adopt only the complete family of International Codes to encourage uniformity, promote public safety and inspire responsible economic growth and development. Target also supports La Porte, Texas in this effort.

I would be pleased to answer any questions you may have regarding Target's commitment to building safe, sustainable, resilient and healthy communities and how use of the family of International Building codes is paramount in achieving our objectives in the built environment.

Thank you for your consideration.

Respectfully submitted,

Thomas A Phillips

Thomas Phillips | Principal - Building Regulatory Strategy |  Target Properties | 50 South Tenth Street, Suite 400, MS TP3 – 1195, Minneapolis MN 55403 | 612.761.5570 (ph) | 612.761.3323 (f)